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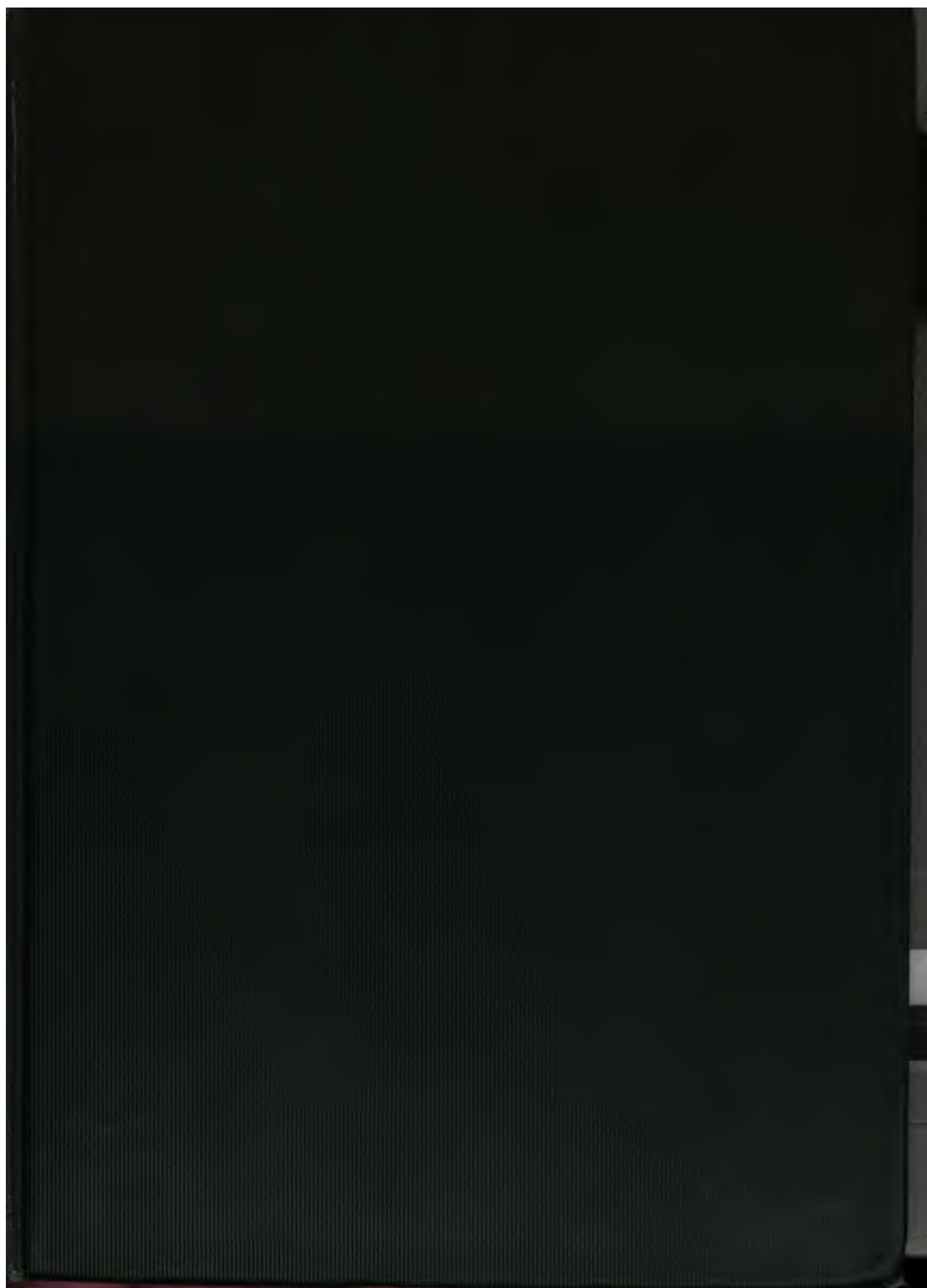
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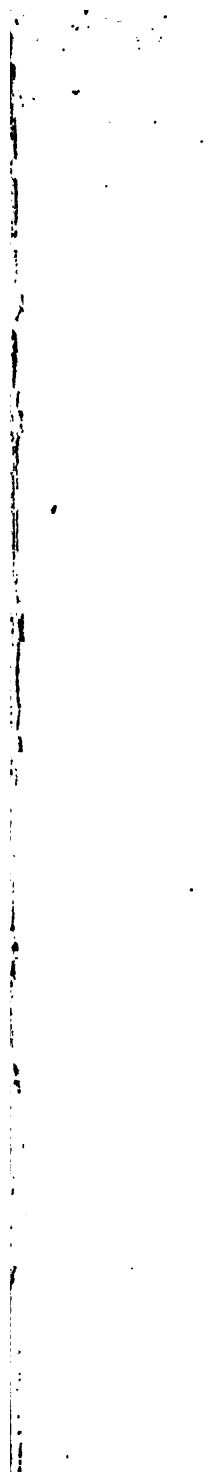
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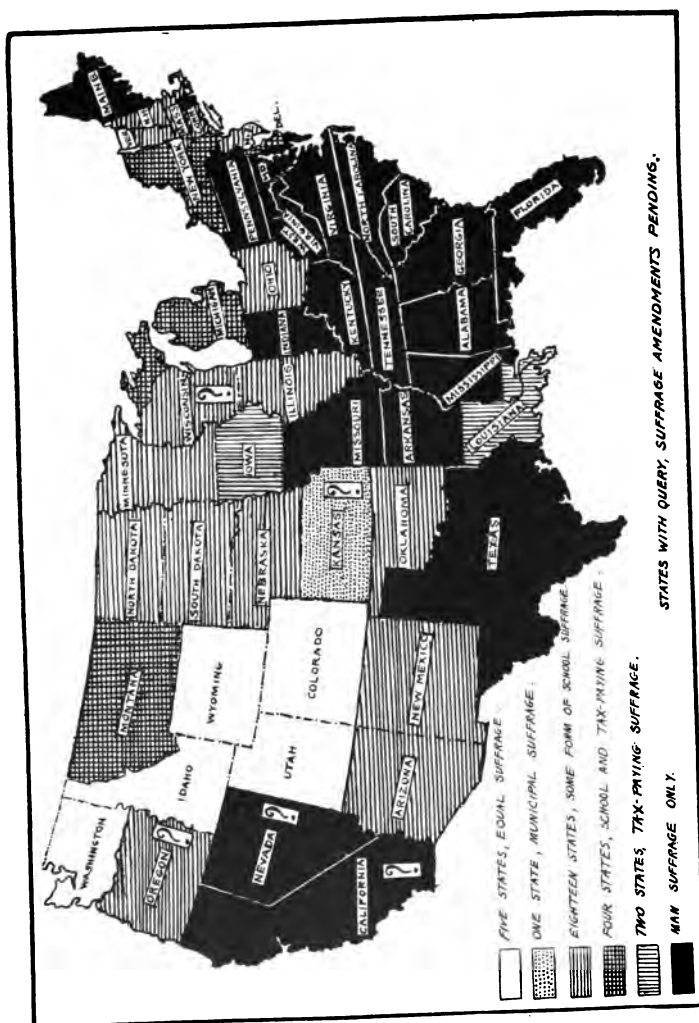






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The Status of Women in America

THE UNIVERSITY OF CHICAGO
CHICAGO, ILLINOIS 60637

Married _____ at _____
 _____ of _____
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(1) $\mathcal{P} \subseteq \mathcal{P}'$ and $\mathcal{P}' \subseteq \mathcal{P}$;
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INVENTS PENDING.

The Political Status of Women In the United States

**A Digest of the Laws Concerning Women
in the Various States and Territories**

Compiled by

Bertha Rembaugh

Member of the New York Bar

With an Introduction by

Harriot Stanton Blatch

President of The Women's Political Union

**G. P. Putnam's Sons
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THE WOMEN'S POLITICAL UNION

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Women's Political Union

Headquarters

46 East Twenty-Ninth Street

New York

Telephone, Madison Square 3043

OFFICERS

Harriot Stanton Blatch

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Elizabeth Ellsworth Cook

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NOTE OF EXPLANATION

ON January 20, 1910, the Conference of Governors at their meeting at the National Capital extended to a committee of The Women's Political Union the privilege of presenting to their honorable body the following appeal:

TO THE CONFERENCE OF GOVERNORS:

"As one of the objects of your Conference is to establish in the separate states uniform legislation upon those questions which seem to demand a national policy, yet in regard to which federal action is impossible or inadvisable, we, a committee of women from the State of New York, feel that it will not be out of place to suggest that the political position of women in the several states is a question worthy of your most earnest consideration. This question, like the others with which your Conference will deal, is not likely to be settled nationally, but will, in the future as in the past, be entirely a matter of State action.

"It is also a question which because of lack of uniformity in the electoral laws of the several states causes discontent in a large body of our citizens. No other laws in the separate states stand in greater contrast than those dealing with the political rights of women.

"While in four states, Wyoming, Utah, Colorado, and Idaho, women enjoy the exercise of electoral rights which belong to citizens in a republic, in other states

they have no part whatsoever in the political life of the community in which they live.

"Between these extremes our states illustrate every stage in political evolution from a complete sex aristocracy to a free self-governing people. Between these extremes there are states in which women have the school vote, the tax vote, and (in Kansas) the municipal vote. This divergence causes constant unrest in our women. It has been again and again demonstrated that human beings will not rest satisfied under disfranchisement within a given boundary while their fellows outside that boundary enjoy political freedom. It causes, for instance, unrest for the women of New York State to see with what little effect they work for protective legislation for women and with what ease similar laws are put on the statute books of Colorado.

"We urge, then, upon this Conference that the question of the political position of women in the separate states be made one of the topics upon which the most exhaustive information be gathered, to the end that the enfranchisement of women be made the basis of a full discussion at the next meeting of our Conference of Governors.

"Signed on behalf of The Women's Political Union.

"MAUD CABOT, *Chairman.*
EUNICE DANA BRANNAN,
HARRIOT STANTON BLATCH."

Acting upon the suggestion of the final paragraph of this appeal, The Women's Political Union made an exhaustive study and unbiassed summary of the political position of women in every State

Note of Explanation

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and Territory of the Union. The Conference of Governors at Frankfort, Kentucky, in December, 1910, received a manuscript copy of this report and signified their willingness to accept individually a copy of the Digest when issued in printed form.

THE WOMEN'S POLITICAL UNION.

46 E. 29th St., NEW YORK, N. Y.

August, 1911.

INTRODUCTION

THE Women's Political Union has in the publication of this volume and the presentation of it to the Conference of Governors at Spring Lake, New Jersey, fulfilled the undertaking to place in the hands of the chief executive of each State a concise report of the political status of women in the United States.

This report gives expression to no opinions; it is but an abridged citation of laws regulating the political rights of women presented state by state in alphabetical order. Each state is dealt with upon one fixed plan;—the situation as to general suffrage is first given in the words of the particular constitution, then follow the constitutional and statutory regulations of special and local suffrage, such as the municipal, school, and tax votes, with court decisions defining the political position of women. Finally, under each caption, the office-holding rights, both appointive and elective, are set forth. These facts bear out what was said in general terms in the address to the Conference of Governors presented by a committee of the Women's Political Union in

1910, that "our states illustrate every stage in political evolution from a complete sex aristocracy to a free, self-governing people."

Since our first appeal was made to the Conference of Governors, one more state has been added to the group of commonwealths which have adopted in fact, and not merely in name, a republican form of government. The enfranchisement of women in Washington in November, 1910, completes a chain of states reaching from the Rocky Mountains to the Pacific Ocean in which women are politically free. Situated on the high altitudes of the Rockies, Wyoming was the first state in our Union to adopt woman suffrage. It had made a trial of suffrage in its territorial days for over twenty years, when it came into the Union in 1890 with a Constitution ensuring complete political equality between men and women. Three years later, Colorado just to the south of Wyoming enfranchised its women. Utah bordering Colorado on the west, and Idaho touching Utah on the north, followed the example of their sister state in 1896. Then Washington, having watched the experiments in democracy across its eastern boundary, conferred full political rights upon its women citizens.

Of the nine states forming the Rocky Mountain and Pacific group, five have already enfranchised their women. Of the other four, Nevada has passed through the first stage the suffrage amend-

ment to its Constitution, Oregon will submit the question of woman suffrage to the voters in 1912, and California will vote on a woman suffrage constitutional amendment on October tenth of this year.

If a comparison is made between the sections of the report dealing for instance with Colorado and Massachusetts, it will be clear to what complications the disfranchisement of a class of adult citizens leads. As a civic sense develops in a people, even the disfranchised begin to demand opportunity for service to the community. There has to come a response to this demand, and a wider and wider field of political expression has to be granted. And so long as the simple step of doing full justice is not taken, each partial advance brings about complication and litigation. Seven protracted lawsuits occurred in Washington State while women had only partial suffrage, merely to determine whether under the particular political limitations it was constitutional for women to vote for a given officer, or hold certain offices. The pages of this digest of laws are dotted over with indications that it is impossible to have harmony in the exercise of civic duties in a community where one half the citizens enjoy full political freedom and the other half are in political leading strings. Nothing could have been more admirable than the law in Ohio creating a board of women directors to manage

the women's department of workhouses. But the result was only expensive litigation; for the political people of Ohio had long before written in their Constitution a wise provision that no one but an "elector" could be appointed to any office.

The American woman is a political pariah. Except in five states, she wanders insecure in the possession of any privilege conferred upon her. And as she passes from state to state her political position changes without a basis of reason or justice. She can vote on questions of taxation in Louisiana, but is deprived of this fundamental right to protect her property interests in Missouri. She is deemed intelligent enough to vote on school questions which so deeply concern her children in Illinois, but is barred from any power in educational matters in Indiana. In Ohio she can vote for school officers, but not on the question as to whether there shall be a school or how much it shall cost. Iowa reverses the matter and allows a woman to express an opinion at the ballot-box on bond issues, but she cannot elect school officers. A woman can be an attorney in Alabama but not in Virginia; while she can be a notary public in Virginia but not in Alabama. In many of the southern states women free-holders have the right to petition for an election in regard to local improvements or a special school tax; but having

secured the election they cannot vote to help determine the conclusion. In short, the political position of women in the United States is a chaos of contradictions.

It is hoped by the Women's Political Union that the Conference of Governors will feel that one of their duties should be to bring unity into this conflict of divergent political ideas. In such an endeavor to harmonize the political status of women in the different states, it should ever be borne in mind that our nation is a federation under a Constitution which guarantees to the people of each separate state a republican form of government. Because of that guarantee it is expedient and it is wise to appeal from the mediævalism of the Constitution of Georgia which declares, "Females are not entitled to the privilege of the *elective* franchise; nor can they hold any civil office or perform any civil functions," to the modern Constitution of Wyoming,— "Since equality in the enjoyment of natural and civil rights is made sure only through political equality, the laws of this state affecting the political rights and privileges of its citizens shall be without distinction of race, color or sex."

HARRIOT STANTON BLATCH.

September, 1911.

**DIGEST OF THE LAWS BEARING ON THE
POLITICAL STATUS OF WOMEN**

ALABAMA

GENERAL STATE SUFFRAGE.—Women have no form of state wide suffrage, the qualifications of electors being as follows: Constitution of 1901, Sec. 177. "Every male citizen . . . and every male resident of foreign birth (who shall have declared his intention to become a citizen) . . . shall be an elector. . . ." The Political Code, Sec. 290, re-enacts Constitution, Sec. 177, in terms, adding certain residential qualifications but confining suffrage to males. Constitution, Sec. 181, Subdiv. 2, generally known as the "grandfather clause," giving the property qualifications necessary in the alternative for registration, admits to registration the husband of a woman owning forty acres of land, other real estate worth \$300, or personal property worth \$300. This section of the Constitution is re-enacted in the Political Code, Sec. 312.

SPECIAL OR LOCAL SUFFRAGE.—Women have no form of special suffrage, the qualifications for the principal forms of such suffrage being as follows:

1. *Taxation and bond issue.*—Bond issues of city, county, town, village, or district are to be authorized by a majority of the "qualified voters" under the Constitution.—Constitution, Sec. 222.

Extra taxation in certain cities must be authorized by a vote of the "qualified voters."—Constitution, Sec. 216.

School tax imposed by the "qualified electors of the county."—Constitution, Sec. 269.

(*N. B.*—The words "qualified voter" or "qualified elector" used in any State statute are held to mean electors as defined by the Constitution of the State, unless something to the contrary is expressly said.)

2. *Local option.*—Election on a question of local option must be held on the petition of one fourth of the "qualified voters of the county."—Political Code, Sec. 492.

Election on a question of establishment of dispensary must be held on petition of one fifth of the "qualified voters of the county."—Political Code, Sec. 228.

3. *School.*—District trustees elected by the qualified voters of the district from the "freeholders and householders who can read and write."—Political Code, Sec. 1097.

OFFICE-HOLDING.—Women hold no office, but it would not require a Constitutional amendment to make them eligible, as the prohibition is not contained in the Constitution.

"Persons who are ineligible to and disqualified for holding office under the authority of this State. . . . Those who are not qualified electors, except

as otherwise provided."—Political Code, Sec. 1467.

Among offices covered by this section are all those mentioned in the Constitution; deputy officers, such as deputy sheriffs (*White vs. State*, 44 Ala. 409; *Andrews vs. State*, 78 Id. 483), notaries public (*Governor vs. Girden*, 15 Ala. 72). Those not included are (1) attorneys (*In re Dorsey*, 7 Port. 298, *Pinkard vs. Allen*, 75 Ala. 73). The Civil Code, Sec. 2975, declares that "Any person, being a citizen of this State, a resident of this state . . ." may be an attorney; (2) enrolling clerk of legislature (*State vs. Gardner*, 43 Ala. 234).

ARIZONA

GENERAL STATE SUFFRAGE.

The Organic Law (Act of Congress) serves the Territory of Arizona in place of a constitution. Sec. 28 of that law sets forth "At all subsequent elections (after the first territorial election) . . . the qualification of voters and of office-holding shall be such as may be prescribed by the legislative assembly of each territory, subject, nevertheless, to the following restrictions on the power of the legislative assembly, namely:—First the right of suffrage and of holding office shall be exercised only by citizens of the United States above the age of twenty-one years and by those above that age who have declared on oath . . . their inten-

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tion to become such." Under this power the legislature has prescribed for suffrage⁵ as follows: "Every male citizen of the United States and every male citizen of Mexico who shall have . . . declared his intention to become a citizen . . . shall be entitled to vote"—subject to certain residence qualifications.—Political Code, Sec. 2282.

SPECIAL SUFFRAGE.—Women have school suffrage.

1. *School.*—Civil Code, Sec. 2178. "Every person, male or female, of the age of twenty-one years, who is a citizen of the United States . . . and who is the parent or guardian of a child of school age residing in the district, or who has paid a territorial or county school tax . . . is eligible to be elected to the office of trustee and shall be entitled to vote at any school district election, provided that every woman offering to vote at such election (who is otherwise qualified under this section) and whose husband or father is or was a citizen of the United States, shall be treated and considered as a citizen of the United States for the purpose of voting at such election." This includes cities as well as country districts.

Question of the establishment of a high school to be decided by the vote of the qualified electors of the school district.—Sec. 2218.

2. *Taxation and bond issue.*—Cf. Civ. Code, Secs. 2182 and 2185.

3. *Municipal suffrage*.—The attempt to give taxpaying women municipal suffrage was declared unconstitutional in its then form.

Act. No. 76 of Laws of 1897 (Sec. 508 of Civ. Code).—"At any city election every taxpayer shall be entitled to vote without discrimination of sex, but nothing herein shall be construed as abridging the right of elective franchise possessed by any person." Construed in *Cronly vs. City of Tucson*, 6 Ariz. 235, 56 Pac. 876.—Held void in its entirety as not limited to citizens over twenty-one as required by the Organic Law, Sec. 26, and not severable into valid and void provisions. The Court, however, says that "subject to the restrictions of 1860 (Organic Act) that the right to vote should be limited to citizens of the United States . . . above the age of twenty-one years, the legislature of the territory has the power to confer the elective franchise on females."

The present law on municipal suffrage is as follows: No one may vote at town elections who is "not entitled to vote at the election of county officers."—Civ. Code, Sec. 561. To entitle citizens to vote on incorporation or disincorporation of cities he must be a "male citizen" and a taxpayer. "All county and precinct officers for whose election . . . no other provision is made by this title, shall be elected at the general election in the year 1902 and every two years thereafter."—Civ. Code, Sec. 1058. (As the general election is governed by Po-

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litical Code, Sec. 2282, *supra*, this cuts women out of county and town suffrage.)

The act of incorporation of cities of over \$3,000,000 taxable values must be adopted by "the legal voters who are taxpayers."—Civ. Code, Sec. 717.

4. *Local option*.—Supervisor of county may call election of "qualified voters of said county" to vote on this question.—Civil Code, Sec. 3058.

OFFICE-HOLDING.—There is no general limitation against women in office. *Cf.* Organic Law, Sec. 28, cited before.

No person except a citizen of the United States "shall be eligible to any office, employment or service in any public institution in the territory of Arizona . . . of any kind or character, whether by election, appointment or contract."—Political Code, Sec. 196.

"Every officer must be twenty-one years of age and a citizen of the United States."—Political Code, Sec. 195.

Officers treated of under this qualification are:—governor, secretary of the territory, territorial treasurer, attorney-general, superintendent of public instruction, fish and game commissioner. And it seems that women would, therefore, be eligible.

"The power of appointment to the office of notary public shall include the right and power to

appoint females, who are over the age of twenty-one years . . . with the same conditions as are now by law applicable to the appointment of males to such office."—Sec. 176.

"No person not an elector shall be eligible to office under the provisions of this act . . ."—Civ. Code, Sec. 640. (Officers in cities of over \$3,000,000 taxable value.)

All county officers shall be citizens and electors.—Civil Code, Sec. 1048.

The county supervisors "shall be qualified electors of their respective counties and shall be elected at the general election."—Sec. 963.

Attorneys.—The word person used throughout and no mention of sex.—Civil Code, Secs. 391–412.

"Board of Education to have charge of high schools shall consist, in any union high school district of five trustees who shall be qualified electors of the district."—Laws of 1903, p. 59.

ARKANSAS

GENERAL STATE SUFFRAGE.—Women have no state suffrage. "Every male citizen of the United States or male person who has declared his intention of becoming a citizen . . . shall be entitled to vote at all elections of the people."—Constitution of 1874, Art. III., Sec. 1.

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SPECIAL SUFFRAGE.—Women possess the right of petition in two matters.

1. *Local improvements.*—Petitions for local improvements. "Women married or single may sign the petition, guardians may sign for their wards, executors and administrators may sign for the estates represented by them."—Kirby's *Digest of Statutes*, Sec. 5717. This is confined to property-owning women.—(Sec. 5665.)

"For the purposes of these acts (*i. e.*, local improvements), females as well as males are competent subscribers to the petition herein provided for."—Sec. 5730.

2. *Local option.*—Upon the petition of a majority of the adult inhabitants living within three miles of a church or school house, the Court may make an order refusing a license for two years or until a counter-petition has been filed.—Sec. 5129. Construed to include women in *Blackwell vs. State*, 35 Ark. 178 (181).

Women have no form of school, bond, or tax suffrage, all rights being confined to "the qualified electors." (Const., Art. XIV., Sec. 3; Statutes, Sec. 7696.).

OFFICE-HOLDING.—Women cannot hold office.

"No person shall be elected or appointed to fill a vacancy in any office who does not possess the qualifications of an elector."—Constitution, Art. XIX., Sec. 3. Except as above there is no qualifi-

cation for any State officer saving that the governor shall be a citizen of the United States thirty years of age. Justice of the Peace "shall be a qualified elector."—Constitution, Art. VII., Sec. 41. Notaries Public shall be "citizens of the County for which they are appointed." Statutes, Sec. 5743. "Every male citizen" may upon application be admitted to the bar.—Sec. 441 (Attorney). Juror must be "an elector and citizen of county."—Sec. 4490. Ch. 89 on State Institutions contains no provision or prohibition of women on boards of trustees.

CALIFORNIA

GENERAL SUFFRAGE.—Women have no state suffrage.

"Every native male citizen of the United States, every male person who shall have acquired the rights of citizenship under or by virtue of the Treaty of Queretaro, and every male naturalized citizen . . . shall be entitled to vote at all elections."—Constitution, Art. II., Sec. 1. The Political Code, Sec. 1083, re-enacts the Constitution, Art. II., Sec. 1, in terms. The Political Code, Sec. 50: "The people as a political body consist: 1. Of citizens who are electors. 2. Of citizens not electors."

Neither Amendments XV. nor XIV. of the Federal Constitution protect sex. *Van Valkenburg vs. Brown*, 43 Cal. 43.

SPECIAL SUFFRAGE.—Women have no special suffrage.

1. Municipal election on questions submitted to the people and for officers. "Every person who was a qualified elector at the general state election next preceding . . . shall be entitled to vote at said election."—Political Code, Sec. 1120.

2. Election of school trustees.—"Every elector, resident of the school district, who is a qualified elector of the county," shall be qualified to vote for school trustee.—Political Code, Sec. 1598.

OFFICE-HOLDING.—Women hold no *elective* offices except school offices.

"Every elector is eligible to the office for which he is an elector, except where otherwise specifically provided; and no person is eligible who is not such an elector except when otherwise specifically provided."—Political Code, Sec. 58. (*I. e.*, there is apparently no limit on persons holding office by *appointment* except that contained in Secs. 841 and 842 following.)

"No person is capable of holding a civil office who at the time of his election or appointment is not of the age of twenty-one years and a citizen of this state."—Sec. 841. Qualifications for particu-

lar offices are to be contained in the sections on each office.—Sec. 842.

Citizenship and residence are the only express qualifications for the following offices: Senators and assemblymen (Constitution, Art. IV., Sec. 4), governor (Constitution, Art. V., Sec. 4), lieutenant-governor (Constitution, Art. V., Sec. 15), secretary of state, comptroller, treasurer, attorney-general, surveyor-general (Constitution, Art. V., Sec. 17).

1. *Education*.—"Women over the age of twenty-one years who are citizens of the United States and of this state shall be eligible to all educational offices within the state except those from which they are excluded by the Constitution."—Act of Mar., 1874, Stat. 1873, p. 356, Sec. 1. The only sections of the Constitution bearing on educational appointments are: Art. IX., Sec. 2. "A superintendent of public instruction shall, at each gubernatorial election . . . be elected by the qualified voters of the State"; Sec. 3. "A superintendent of schools for each county shall be elected by the qualified electors"; Sec. 7. State Board of Education is to be composed of the governor, superintendent of public instruction, president of the University of California, professor of pedagogy therein, and the principals of the state normal schools.

Statutes 1873-4, p. 938. Female teachers to receive same pay as male. (Gen. Laws, Act 3575.)

No person is eligible to county, township, or dis-

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strict office who is not an elector at the time of his election. "Provided that any woman who is of the age of twenty-one years or over, a citizen of the state and a resident of the county or district, shall be eligible to the office of superintendent of public schools, school trustee or member of the county board of education."—Political Code, Sec. 4023.

2. *Civil rights*.—"No person shall on account of sex be disqualified from entering upon or pursuing any lawful business, vocation or profession."—Constitution, Art. XX., Sec. 18.

3. *Offices, miscellaneous*.—"Every person appointed as a notary public must, at the time of appointment, be a citizen of the United States and of this state, and twenty-one years of age; must have resided in the county for which the appointment is made six months. Women having these qualifications may be appointed."—Political Code, Sec. 792.

"Any citizen or person resident in this state, who has bona fide declared his or her intention to become a citizen in the manner required by law . . . is entitled to admission as attorney and counsellor in all the courts of this state."—Code of Civil Procedure, Sec. 275.

Qualified women must be admitted to the Hastings Law School.—*Foltz vs. Hoge*, 54 Cal. 28.

Jail matrons to be appointed in cities of ten thousand or more inhabitants.—Gen. Laws, Sec. 2775.

Directors of state institutions appointed by governor—no qualifications. Political Code, Sec. 368. (Same Sec. 2147.)

COLORADO

GENERAL STATE SUFFRAGE.—Women have complete political equality.

“Every person over the age of twenty-one years possessing the following qualifications shall be entitled to vote at all elections. He or she shall be a citizen of the United States” . . . and have certain residence qualifications.—Constitution, Art. VII., Sec. 1.

“The general assembly shall at the first session thereof, and may at any subsequent session enact laws to extend the rights of suffrage to women of lawful age and otherwise qualified according to the provisions of this Article.”—Sec. 2.

Revised Statutes of 1908, Sec. 2146, re-enacts Constitution, Art. VII., Sec. 1, in terms.

“That every female person shall be entitled to vote at all elections, in the same manner in all respects as male persons are or shall be entitled to vote by the Constitution and laws of this State, and the same qualifications as to age, citizenship and time of residence in the State, county, city, ward and precinct, and all other qualifications required by law to entitle male persons to vote shall

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be required to entitle female persons to vote."
—Sec. 2147.

OFFICE-HOLDING.—Women may hold any office.

"No person except a qualified elector shall be elected or appointed to any civil or military office in this State."—Constitution, Art. VII., Sec. 6.

"No person shall be eligible to any county office unless he shall be a qualified elector."—Art. XIV., Sec. 10.

"Every qualified elector shall be eligible to hold any office of this State for which he is an elector, except as otherwise provided by the Constitution."
—Revised Stat., Sec. 2150. (Refers to age qualifications, etc.)

CONNECTICUT

GENERAL SUFFRAGE.—Women have no State suffrage, the qualifications for general electors being as follows:

Constitution of 1818, Art. VI., Sec. 1. "Every white male citizen of the United States . . . is a voter." (Subject to property, residence and character qualifications.)

Amendment VIII. (1845)—dropped property qualifications.

Amendment XI. (1855)—added educational qualifications.

Amendment XXIII.—dropped the word “white.”

General Statutes, Revision of 1902, Sec. 1593. Electors are “every male citizen of the United States” subject to residence, educational, and character qualifications.

SPECIAL SUFFRAGE.—The only form of limited suffrage extended to women is the school suffrage, and the related suffrage on library matters.

1. *School suffrage*.—“Every woman who shall have attained the age of twenty-one years, who shall be a citizen of this state or of the United States and who shall have resided in the state one year and in the town six months, and can read the English language, shall, after having been duly admitted, have the right to vote for any officer of schools and directors of public libraries, and upon any question relating to education, or to schools or to public libraries.”—General Statutes, Sec. 1629, as amended by the Laws of 1909, ch. 96.

There shall be separate “to be made” lists of women “by whom or in whose behalf the claim is made to either registrar that they will be entitled to vote for school officers, and on questions relating to education and schools.”—Sec. 1616.

(*N. B.* Lists “to be made” are those of persons about to become eligible to vote.)

Selectmen and town clerk admit from women’s “to be made” list at the same time that other

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electors admitted from "to be made" lists.—Sec. 1630.

Sec. 1631 provides for separate lists of women voters; and

Sec. 1661 for separate ballot-boxes.

Sec. 1799: "Those women whose names appear upon the registry list of women voters shall be entitled to vote at any meeting held for choosing school officers or upon any matter relating to education or schools."

2. *Local option*.—Petition for election and election itself is to be by "legal voters," but taxpayers may appeal from the granting or refusing an individual license.—Sec. 2638, 2660.

3. *Municipal suffrage*.—By Constitution, Art. X., Sec. 32, the form of town government is provided and town officers and elections therefore are constitutional and come under the limitation of Article VI.

OFFICE-HOLDING.—It is a mooted question whether women can hold office in Connecticut, though some minor offices are opened by statutes.

"Every elector shall be eligible to any office in this state except in cases provided for in this Constitution."—Constitution, Art. VI., Sec. 3.

"No person who is not an elector of this state shall be eligible" for governor.—Amendment IV., Sec. 1. No further qualifications for lieutenant-governor, secretary, treasurer, controller, sheriff,

are in the Constitution except that in Art. VI., Sec. 3.

1. *Educational offices.*—"No person shall be ineligible to serve as a member of a board of education, board of school visitors, town school committee, or district committee, or disqualified from holding such office by reason of sex."—General Stat., Sec. 2115.

(Query: Constitutionality of this in view of Constitution, Art. VI., Sec. 3, there being nothing to confine Constitution, Art. VI., Sec. 3, to constitutional offices.)

2. *Town clerk, etc.*—"No person shall be deemed disqualified from holding the offices of assistant town clerk, registrar of births, deaths, and marriages, or assistant registrar of births, deaths, and marriages, by reason of sex."—Sec. 1846.

3. *State boards.*—The State Board of Charities consists of "five members of whom three shall be men and two women."—Sec. 2857.

The Board of Education of the Blind is composed of four persons, the governor, chief justice, and one man and one woman appointed by the governor.—Sec. 2206.

4. *Attorneys.*—Court may admit as attorneys "such persons as are qualified therefor."—Sec. 458. Women are admissible under this section. (*In re Hall*, 50 Conn. 131.)

5. *Commissioners of the Supreme Court.*—The Court may appoint "any number of persons."—

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Sec. 461. This is held to include women. (*In re Hall, supra.*)

6. *Notaries public.*—Governor may appoint a convenient number.—Sec. 69.

(Note that in the last election, November, 1910, a woman ran for secretary of state upon one of the party tickets and although her eligibility was questioned her name was not removed from the ticket.)

DELAWARE

GENERAL STATE SUFFRAGE.—Women have no form of State suffrage.

Constitution, Art. IV., Sec. 1: "Every free white male citizen . . . shall enjoy the rights of an elector." "No idiot, or insane person, pauper or person convicted of a crime . . . shall enjoy the right of an elector."

General Election Law, v. 19, ch. 38, Laws of Delaware, Sec. 1: "In all elections for Governors, Senators, Representatives, Sheriffs, Coroners, or any other county or state officers, of Representatives in Congress or of electors of President and Vice-President, every male citizen . . . (subject to age, residence and tax restriction) . . . shall enjoy the right of an elector. . . ."

Ch. 36, v. 21, 1898-9. "Provided every applicant for registration shall upon payment of the

registration fee be held and considered a qualified voter if he be a male citizen of the State. . . ."

SPECIAL OR LOCAL SUFFRAGE.—Women have a limited school suffrage, full suffrage in library matters, and in some places limited municipal suffrage.

1. *School.*—Ch. 122, vol. 24 (1907) of Free Schools Law. Method of raising money. Sec. 3. "At any election held under the provisions of this act each person who would have had the right to vote at the regular school election of the district next preceding such special election and also every female resident seized of an estate of freehold situated in said district, shall have a right to cast one vote for every dollar and fractional part of a dollar of school tax assessed for the year in which such election is held against him or her respectively." This applies only to elections on the question of raising money—the ordinary school election is governed by the following section.

"Every person residing within the district and having the right to vote for representatives in the general assembly (and having paid his school tax for the preceding year) shall be a school voter of said district."—Ch. 42 of Free Schools, Sec. 3.

2. *Local option.*—Constitution, Art. XIV., Sec. 2, requires submission of the question of local option to the vote of "qualified electors" on petition of members of assembly of that district.

3. *Libraries.*—Ch. 136 of vol. 22 (1901) Sec. 8. Vote on establishment of libraries. "All persons entitled to vote at the regular town election . . . shall be entitled to vote on such questions, and in addition all female persons over the age of twenty-one years . . . (who have three months' residence and have paid a town tax) . . . shall be entitled to vote at said election as to the establishment of a free library, and thereafter at any town election at which members of the Town Library Commission shall be elected as hereinafter provided, all female persons over the age of twenty-one years . . . shall, in addition to all other persons entitled to vote at said election, be entitled to vote at said election for members of said Town Library Commission but such female person shall vote upon no other questions and for no other official at any town election, except as they now are and hereafter may be, authorized so to do by particular charter or general laws. The term 'qualified electors' whenever used in this Act shall be deemed to embrace and include such male persons."

District Library Commission must submit question of raising money to qualified voters of library district at regular meeting.—Ch. 106 of 1909, vol. 25, sec. 18.

4. Women vote on tax propositions in Milford, Newark, and several other towns by town charter. (*Cf.* vol. 23, ch. 169, p. 282.)

OFFICE-HOLDING.—There is no general prohibition against women in office, and no general requirement that officers be electors, but women do not hold office as a fact. The requirements for the various offices are as follows:

For Representative,—citizen and inhabitant. (Constitution, Art. II., Sec. 2.) For Senator,—freeholder, citizen, and inhabitant. (Sec. 3.) For Governor,—citizen and inhabitant. (Sec. 4.) For various Public Boards and Charity Commissions, appointed by the Governor, there are no qualifications given. There are women officers in the Industrial School for Girls which was incorporated by women.—Laws, ch. 637, vol. 19. For Attorneys,—“There may be a competent number of persons, of an honest disposition and learned in the law, admitted by the judges of respective courts to practice as attorneys therein.”—Laws, ch. 92, vol. 14, sec. 6. (Women were refused admission in 1900.) The Governor appoints county superintendents of schools, who shall be “persons” “of good moral character and well qualified for such office.”—Laws, ch. 67, vol. 18, sec. 2. Notaries Public are appointed by the Governor, no qualifications being given.—Laws, ch. 36, sec. 1. “All persons qualified to vote at the general election shall be liable to serve as jurors.”—Laws, ch. 109, vol. 14. Assessors must be freeholders and inhabitants.—Laws, ch. XVII., sec. 2.

On the Public Libraries Commission “No person

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shall be ineligible to serve by reason of sex . . ."
—Laws, ch. 136, vol. 22, sec. 11, 1903.

FLORIDA

GENERAL SUFFRAGE.—Women have no form of State suffrage.

Const., Art. VI., Sec. 1. "Every male person of the age of twenty-one years and upwards . . . shall be deemed a qualified elector at all elections under this Constitution"—if a citizen or a person who has declared his intention to become one. General Statutes of 1906, Sec. 170, re-enacts Const. VI., Sec. 1, in terms, and further excludes persons unregistered, under guardianship, insane, felons, etc.

SPECIAL SUFFRAGE.—Women have no form of special suffrage.

1. *Schools*.—Special school tax districts are organized on petition of "taxpaying electors." (Gen. Stat., Sec. 399.) "All qualified voters . . . that pay tax . . . shall be entitled to vote" in such district elections. (Sec. 405.)

2. *Local option*.—Elections on questions of local option are held on application of one fourth of "registered voters" of county. (Const., Art. XIX., Sec. 1.)

3. *Municipal suffrage*.—Electors of the municipality are the same as those at the general election except as to residence qualifications. (Gen. Stat., Sec. 1010.)

OFFICE-HOLDING.—Women hold no office except that of notaries public, although there is no general provision in the laws or Constitution confining office to electors, and only in a few individual instances is such a qualification mentioned. For instance, senators and representatives must be “duly qualified electors.” (Constitution, Art. III., Sec. 4.)

The governor must be a “duly qualified elector” (Art. IV., Sec. 3). Grand and petit jurors must be “male persons over the age of twenty-one years.” (Gen. Stat., Sec. 1570.) “Women over twenty-one years of age are hereby declared to be eligible to appointment by the governor as notaries public, and to hold and exercise the office thereof upon the same terms and conditions, with the same powers and emoluments, as notaries now appointed by the governor.” (General Stat., Sec. 303.)

In the statute dealing with attorneys-at-law there is no express exclusion or inclusion of women. (General Stat., Sec. 1349.)

State Board of Control consists of “five of the most capable and efficient citizens.” (Laws of 1905, ch. 5384, Co-ordinating State Educational Institutions, Sec. 14.)

GEORGIA

GENERAL STATE SUFFRAGE.—Georgia is the only state that in express terms and by name forbids women to exercise any political rights.

"Every male citizen of the United States . . . shall be deemed an elector." Subject to certain residence and taxpaying restrictions.—Const., Art. II., Sec. 2. "Females are not entitled to the privilege of the elective franchise; nor can they hold any civil office or perform any civil functions, unless specially authorized by law; nor are they required to discharge any military, jury, police, patrol or road duty. *Provided* nothing contained herein shall prevent a woman, a resident of the state for four years and who has attained the age of twenty-one years, from being eligible to the position or office of state librarian by appointment by the governor under the provisions of force regulating appointments by the governor."—Code of Georgia, vol. ii., Sec. 1810. (Last section added by Supplement, Sec. 6155.)

"Qualification of voters for members of the general assembly is contained in the following section of the Constitution of the State, to wit:" (quotes Const., Art. II., Sec. 2)—Code, Sec. 32. "Persons qualified to vote for members of the general assembly, and none others, are qualified to vote for other officers, civil or military, unless said privileges be enlarged or restricted by

the Constitution or some special enactment."—
Sec. 33.

SPECIAL OR LOCAL SUFFRAGE.—There is practically no limited suffrage in Georgia, school and many officers being appointed. (Civil Code, Secs. 1338–54.)

For debt incurring suffrage, etc., *cf.* Laws of 1904, Act 610; Laws of 1905, Act 159.

Laws of 1905, Act 132, Sec. 2: "Majority of the freeholders" of a district may petition for an election putting stock law in force.

OFFICE-HOLDING.

1. Women hold no public office except state librarian. (*Cf.* Code, vol. ii., sec. 1810, *supra*.)

2. *Attorneys.*—"Any male citizen, of good moral character, . . . is entitled to plead and practise law in this State." (Sec. 4398.) "Any male person desiring to become a member of the bar of this State" . . . may make application—(Sec. 6305, Amendments of 1901). "All male persons who have successfully passed" the examinations are admitted to the bar. (Sec. 6309.)

3. *Physicians.*—The law regulating the examination for applicant as physician at State Lunatic Asylum reads: "Such competitive examinations will be open to all physicians in good standing whether men or women . . ." (Sec. 6511). It is mandatory that a woman be appointed to the first

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vacancy, "as it is the purpose of this act to have at least one woman physician as assistant physician at said asylum." (Sec. 6513.) And further, the woman physician must be assigned duty "in the line of her profession." (Sec. 6514.)

4. *County officers*.—County officers must be residents and qualified voters elected by qualified voters. (Constitution, Art. XII., Sec. 2; Supplement, Sec. 6125.) In *White vs. Clements*, 39 Ga. 266, there is a dictum holding that women and minors would be eligible to some offices, *i. e.*, those not denied by Constitution nor mentioned in it.

IDAHO

GENERAL STATE SUFFRAGE.—One of the full suffrage States.

Const., Art. VI., Sec. 2. "Except as in this article otherwise provided every male or female citizen of the United States, twenty-one years old . . . (subject to certain residence and registration provisions) . . . is a qualified elector; and until otherwise provided by the legislature, women who have the qualifications prescribed in this article may continue to hold such school offices and vote at such school elections as provided by the laws of Idaho Territory." (1895.)

Const., Art. VI., Sec. 4: Disqualifies for voting, jury duty, and office: persons under guardianship, insane, felons or convicts, bribe-takers, prisoners, polygamists, Chinese descent, and Indians.

Sec. 4. Legislature may prescribe additional qualifications for voting.

SPECIAL OR LOCAL SUFFRAGE.—School elections for district trustees—conducted as county election. If on bond issue, only freeholders or heads of families vote.—Revised Codes, Sec. 622.

OFFICE-HOLDING.—Women hold all offices, although the question of their eligibility has been raised under Const., Art. VI., 2.

“No disqualification to hold office on account of sex which may exist under this section, can be raised in a proceeding instituted after the wrongful removal of the officer, to compel her to deliver the papers of the office to her alleged successor.” *Village of Kendricks vs. Nelson*, 89 Pac. 755. In this case a claimant tried to raise the question of the eligibility of a woman to the office of village treasurer, holding her disqualified under Const., Art. VI., Sec. 2.

“Every qualified elector shall be eligible to hold any office of this State for which he is an elector, except as otherwise provided by the Constitution.” —Revised Codes, Sec. 250.

ILLINOIS

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

“Every person having resided in this state one year, in the county ninety days, and in the election district thirty days next preceding any election therein, who was an elector in this state on the first day of April in the year of Our Lord 1848, or obtained a certificate of naturalization before any court of record in this state prior to the first day of January in the year of Our Lord 1870, or who shall be a male citizen of the United States above the age of twenty-one years, shall be entitled to vote at such elections.”—Const., Art. VII., Sec. 1.

Hurd's *Revised Statutes*, p. 966, sec. 65 of Elections re-enacts Const., Art. VII., Sec. 1.

SPECIAL OR LOCAL SUFFRAGE.—Women have the school suffrage, much limited by decisions.

1. *School.*—“Any woman of the age of twenty-one years and upwards, belonging to either of the classes mentioned in Art. VII. of the Constitution of the State of Illinois, who shall have resided in this state one year, in the county ninety days, and in the election district thirty days next preceding any election held for the purpose of choosing any officer of schools under the general or special school laws of this State, shall be entitled to vote at such elections in the school district of which she shall

at the time have been for thirty days a resident: *Provided* any woman so desirous of voting at any such election shall have been registered in the same manner as is provided for the registration of male voters."—*Rev. Stat.*, p. 1039, Elections, Secs. 332 and 333. (Laws 1891, p. 135. Sec. 1.)

"Whenever the elections of public school officers shall occur at the same election at which other public officers are elected, the ballot offered by any woman entitled to vote under this act shall not contain the name of any person to be voted for at such election, except such officers of public school, and such ballots shall all be deposited in a separate ballot box, but canvassed with other ballots cast for school officers at such election."—Sec. 2.

Const., Art. VIII., Sec. 5. County Superintendent of Schools. His qualifications and "manner of election" to be prescribed by law.

(*N. B.* School officers are elected only in the country districts. In Chicago no school officers elected except university trustees. The rest appointed by Mayor, etc. This materially limits the apparent scope of the school suffrage law which is again limited by the decisions which follow.)

People vs. Welsh, 70 Ill. 641 (1891). Act of 1891 authorizing women to vote for school officers does not authorize them to vote on proposition to establish a township high school submitted at such elections.

People vs. English, 139 Ill. 622 (1892). Act of

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1891 is unconstitutional and void as far as it attempts to allow women to vote for county superintendent of schools. That is a constitutional office under Const., Art. VIII., Sec. 5.

Plummer vs. Yost, 144 Ill. 68 (1893). Act of 1891 cannot give right to vote for superintendent of public instruction (Const., Art. V., Secs. 1 and 3) or county superintendent (Const., Art. VIII., Sec. 5), but does for any other school officer.

Ackermann vs. Haenck, 147 Ill. 514 (1893). Follows *Plummer vs. Yost*—*i.e.*, women may vote for boards of education. The sections construed in the above cases are: Const., Art. V., Sec. 1. Superintendent of public instruction mentioned as a state officer.

Sec. 3. Elected every four years "at such place and in such place and in such manner as may be prescribed by law."

2. *Municipal suffrage*.—Cities, villages and towns, Revised Statutes, p. 341. Sec. 50. "All persons entitled to vote at any general election for state officers within any city or village, having resided therein thirty days next preceding thereto, may vote at any election for city or village officers"—*i.e.*, women excluded. The constitution limits rights of legislature to increase bonded debt of Chicago without consent of "majority of the legal voters of said city, voting on the questions at any election, general, municipal or special." Also

right of legislature to add or decrease territory of city without same consent. Also makes referendum of any law based on this section to same consent.—Constitution, Art. IV., Sec. 34.

OFFICE-HOLDING.—No legal limitation on women's holding office, unless one can be spelled out indirectly in Rev. Stat., p. 1078; *cf. infra*, and such cases as *In re Bradwell*. "No person shall be elected or appointed to any office in this state, civil or military, who is not a citizen of the United States, and who shall not have resided in this state one year next preceding the election or appointment."—Constitution, Art. VII., Sec. 6.

Senator and representative must be "citizens and residents."—Const., Art. IV., Sec. 3. Governor and lieutenant-governor must be "citizens of the United States and this state."—Const., Art. V., Sec. 5. Judges and county commissioners must be citizens and residents.—Const., Art. VI., Sec. 17. "Any woman who has attained the age of twenty-one and who possesses the qualifications prescribed, shall be eligible to any office under the general or special school laws of this state."—Rev. Stat., Sec. 269. County officers—no qualifications are mentioned.—Const., Art. X., Sec. 8. Revised Stat., p. 1078 (Laws 1871-2, p. 578), Sec. 1. "That no person shall be precluded or debarred from any occupation, profession or employment (except military) on account of sex:

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Provided that this act shall not be construed to affect the eligibility of any person to any elective office." Sec. 2. "Nothing in this act shall be construed as requiring any female to work on streets or roads, or serve on juries." Rev. Stat., p. 1087, Employment, Sec. 54 (L. 1903, p. 194). Assistant superintendent of free employment agencies to be a woman.

Rev. Stat., p. 275, Charities, Sec. 25. The management of each of the state's charitable institutions and of the reform schools shall be vested in a board of three trustees, to be appointed by the governor, by and with the advice and consent of the senate. No qualification as to sex is mentioned.

Rev. Stat., p. 312, Sec. 216. State Home for Juvenile Female Offenders. Two trustees out of the five are to be women. Rev. Stat., p. 204, Attorneys, Sec. 1. "No person shall be refused a license under this act on account of sex."

In re Bradwell, 55 Illinois 535 (1869), it was held that a woman was not eligible as attorney without express enactment. (Obtained in 1871.) Position sustained in 16 Wall. 130 (1872).

Rev. Stat., p. 1552. *Notaries public*. Sec. 1. Citizens and residents. They are appointed on petition of fifty voters of cities. Sec. 2, Rev. Stat., 1874, p. 697, and Rev. Stat., 1909, p. 1469, *Masters in chancery*. No qualifications.

Schuchardt vs. People, 99 Illinois 501 (1881), holds women are eligible as masters in chancery.

Soldiers' Widows' Home, Sec. 130 of Ch. 23. Board composed of two G. A. R. men and three "ladies and members of the Woman's Relief Corps of Illinois." Women are in fact appointed to many offices and on many boards where there is no express permission to appoint women.

INDIANA

GENERAL STATE SUFFRAGE.—Women have no state suffrage. Constitution, Art. II., Sec. 2. "In all elections not otherwise provided for in this Constitution every male citizen of the United States . . . (twenty-one years and residents) . . . and every male of foreign birth, of the age of twenty-one years and upwards, who shall have resided in the United States one year . . . (and shall have declared his intention to become a citizen) . . . shall be entitled to vote in the township or precinct where he may reside, if he shall have been duly registered according to law."

The legislature cannot change the qualification of voters as fixed by the Constitution. *Morris vs. Powell*, 125 Ind. 281. Burns's *Annotated Statutes*, Sec. 6876. "Every male citizen of the United States . . . and every male of foreign birth. . . ." Re-enacts the Constitution.

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Gougar vs. Timberlake, 148 Ind. 38 (1897), 46 N.E. 339, holds that women cannot vote under Constitution, Art. II., Sec. 2, as "that which is silent ceases." Distinguishes *In re Leach*, 134 Ind. 665, which construes differently exactly same sort of phrase (construing Constitution, Art. VII., Sec. 21) in regard to women as attorneys.

SPECIAL OR LOCAL SUFFRAGE.—Women have no form of special suffrage.

1. *School*.—Superintendent of Public Instruction—elected by qualified voters of the State.—*Annotated Statutes*, Sec. 6293. Common Council of cities and Board of Trustees of towns shall elect school trustees.—Sec. 6477.

2. *Municipal*.—"In all municipal elections no other qualifications shall be required of any voter than such as are made necessary in general elections under the constitution and laws of this state."—*Annotated Statutes*, Sec. 8884.

3. *Local option*.—Petition for an election on question by twenty per cent. of the "legal voters" and special elections then held.—Laws of 1908, Ch. 2.

Remonstrance against issuance of liquor license must be signed by majority of "legal voters" of township, or ward.—*Annotated Statutes*, Sec. 8332.

OFFICE-HOLDING.—Women have very wide office-

holding rights to all non-elective positions. Quaere as to their rights to elective office.

"Women are hereby declared to be eligible to any office, the election to which is or shall be vested in the general assembly of this state or the appointment to which is or shall be vested in the governor thereof."—*Annotated Statutes*, Sec. 9607 (Laws of 1873, p. 182).

"Any woman, married or single, of the age of twenty-one years and upwards, and possessing the qualifications prescribed for men, shall be eligible to any office under the general or special school laws of this state."—Sec. 6672 (1881)—8.

Qualifications of legislators.—They must be citizens of the United States.—Constitution, Art. IV., Sec. 7.

Qualifications of governor and lieutenant-governor.—Must be citizen of United States and resident.—Art. V., Sec. 7. Qualifications of county officer.—"No person shall be elected or appointed who shall not be an elector of the county."—Art. VI., Sec. 4.

Board of managers of reform school for girls' and women's prison to be women.—Burns's *Annotated Statutes*, 1908, Sec. 9930.

"All employees females.—Sec. 9935."

"Every person of good moral character being a voter, shall be entitled to admission to practise law in all courts of justice."—Constitution, Art. VII., Sec. 21.

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This provision does not prohibit the admission of women to practise law. *In re Leach*, 134 Ind. 665.

Attorneys.—“Every person of good moral character being a voter,” *i.e.*, follows wording of Constitution. Sec. 997.

Notaries public appointed by governor, no qualification.—Sec. 9531.

Public Library Commission.—Appointed by governor, no qualification.—Sec. 6645.

State Board of Charities.—Six persons appointed by governor—women are eligible as the words “his or her” used.—Charities (1899), Sec. 3665.

Board of County Charities.—Six persons, “not more than four of whom shall be men.”—Sec. 3675.

IOWA

GENERAL STATE SUFFRAGE.—No form of state women’s suffrage exists.

Constitution, Art. II., Sec. 1. “Every male citizen of the United States of the age of twenty-one . . . (subject to certain residence qualifications) . . . shall be entitled to vote at all elections which are now or hereafter may be authorized by law.”

SPECIAL OR LOCAL SUFFRAGE.

1. *Tax and bond suffrage*.—Women have a

limited form of tax-paying suffrage for school and municipal purposes. "At all elections where women may vote, no registration of women shall be required; separate ballots shall be furnished for the questions on which they are entitled to vote; a separate ballot box shall be provided in which all ballots cast by them shall be deposited, and a separate canvass thereof made by the judges of the election, and the return thereof shall show such vote. The right of any citizen to vote at any city, town or school election on the question of issuing any bonds for municipal or school purposes, and for the purpose of borrowing money, or on the question of increasing the tax levy, shall not be denied or abridged on account of sex."—Code, Sec. 1131.

"To have the right to vote at a school meeting a person must have the same qualifications as for voting at a general election, and must be at the same time an actual resident of the corporation or sub-district. In any election hereafter held in any school corporation for the purpose of issuing bonds for school purposes or for increasing the tax levy, the right of any citizen to vote shall not be denied or abridged on account of sex, and women may vote at such elections the same as men, under the same restrictions and qualifications as far as applicable."—Sec. 2747.

Registry of voters of school corporation having five thousand or more inhabitants, divided into

precincts. But "nothing in this section shall be construed to prohibit women from voting at all elections at which they are entitled to vote. . . ."

—Sec. 2755.

Coggeshall vs. Des Moines, 117 N. W. 309 (1908), holds that women are entitled to vote on proposition to build city hall in cities of fifty thousand and over, since issuing bonds is an integral part of proposition to build. Also holds that it is not unconstitutional to except women from registration when they have not full suffrage.

2. *Municipal and county suffrage*.—Women have no municipal suffrage except as above stated, and do not have the tax suffrage except in municipalities.

Cities are incorporated by the vote of the "qualified electors."—Code, Secs. 599–601.

Board of supervisors may submit to "the people of the county at any regular election, or at any special one called for that purpose, the question whether money may be borrowed to aid in the erection of any public building, and the question of any other local or political regulations not inconsistent with the laws of the State."—Sec. 443.

Iowa cities are recognized under the general law (Title V.) or under special charter (Title V., ch. 14) but even in the latter the city elections are under the general election laws.—Code, Sec. 936.

OFFICE-HOLDING.—There are no general qualifications as to office-holding in the statutes, but the decisions seem to hold that only electors may be public officers in the absence of express enactment.

In *State vs. Van Beek*, 87 Iowa 577 (1893), the Court says as follows: "Our first inquiry is whether an alien can hold the office of sheriff under the laws of Iowa. There is no provision in our constitution or statutes upon that subject, yet it is certainly a fundamental principle of our government that none but qualified electors can hold an elective office unless otherwise provided. This precise question was passed upon in *State vs. Smith*, 14 Wis. 497." (*N.B.*—This case is not the same—it requires the qualification of citizens not electors.)

Qualification for particular offices: "No person shall be a member of the house of representatives who shall not . . . be a male citizen of the United States."—Const., Art. III., Sec.

4.

Senators must possess the qualification of representatives "as to residence and citizenship."

—Sec. 5.

"No person shall be eligible to the office of governor or lieutenant-governor who shall not have been a citizen of the United States and resident of the state two years next preceding the election. . . ." No constitutional qualification for

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judges, attorney-general, county attorney.—Const., Art. IV., Sec. 6.

“In counties with a population of ten thousand or less, the same person may hold the office of county recorder and county treasurer and no person shall be disqualified on account of sex from holding the office of recorder.”—Code, Sec. 493.

“A school officer or member of the board may be of either sex, and must at the time of election or appointment be a citizen and a resident of the corporation or sub-district and over twenty-one years of age, and, if a man, he must be a qualified voter of the corporation or sub-district.”—Code, Sec. 2748.

“The county superintendent, who may be of either sex, shall be the holder of . . . a first class certificate. . . .”—Sec. 2734.

Huff vs. Cook, 44 Iowa 639 (1876), holds that there being no constitutional inhibition, the Legislature can pass a law making the office of county superintendent of schools open to women, though it is an elective office, and may make the law *ex post facto*. (The inference being that an elective office must be specially declared open.)

Brown vs. McCollum, 76 Iowa 479 (1889), holds that the law which makes woman eligible as county superintendent of schools (16 G. A., ch. 136, Sec. 1) impliedly repeals Sec. 697 of Code which provides that contestant must allege that he is an elector of the county.

City officers.—"Every mayor, councilman-at-large, town councilman and officer elected by the whole electorate of the city or town or by its council or appointed by the council, mayor or other officer of any city or town shall be a resident and qualified elector of the city."—Code, Sec. 643. Same of councilman or other officer elected by district for ward.—Sec. 644.

Police matrons are to be appointed in cities of twenty-five thousand and over.—Sec. 654.

Notaries.—Governor may appoint a convenient number.—Sec. 373. A notary public is a public officer.—*Keeney vs. Leas*, 14 Iowa 644.

Attorneys.—Only qualification: "Every applicant . . . must be at least twenty-one years of age, of good moral character and an inhabitant of this state. . . ."—Sec. 310.

State vs. Pitkin, 114 N. W. 550 (1908), holds that a woman may act as clerk of the grand jury.

State insane hospitals are under five trustees "two of whom may be women."—Code, Sec. 2253.

KANSAS

GENERAL STATE SUFFRAGE.—Women do not have general state suffrage.

Const., Art. V., Sec. 1. "Every (white) male person of twenty-one years and upwards belonging to either of the following classes . . . shall

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be deemed a qualified elector." 1. Citizen of the United States. 2. Person holding first citizen papers.

Women may vote for school district treasurer without violating this section (construing General Statutes, Sec. 7405). *Wheeler vs. Brady*, 15 Kan. 26. But not for either state or county superintendent (construing Const., Art. V., Sec. 1, and Art. II., Sec. 23). *Winans vs. Williams*, 5 Kan. 227.

Legislature is to provide for equal rights of women in property and children.—Const., Art. XV., Sec. 6.

SPECIAL OR LOCAL SUFFRAGE.—Women have school and municipal suffrage in cities, and school suffrage in non-municipal districts.

"The legislature in providing for the formation and regulation of schools, shall make no distinction between the rights of males and females."—Const., Art. II., Sec. 23. State superintendent is mentioned. He is, therefore, a constitutional officer. County superintendent of public instruction mentioned; is to be elected and duties prescribed by law.—Const., Art. VI., Sec. 1.

General Statutes of 1909, Sec. 733.—"That in any election hereafter held in any city of the first, second and third class, for the election of city or school officers, or for the purpose of authorizing the issuance of any bonds for school purposes,

the right of any citizen to vote shall not be denied or abridged on account of sex, and women may vote at such elections the same as men, under like restrictions and qualifications; and any woman possessing the qualifications of a voter under this act shall also be eligible to any such school or city office."

Cities of the first class.—"All electors qualified to vote for municipal officers, including both male and female, are hereby deemed and declared legal electors, and are hereby authorized and qualified to vote at any election held under the provisions of this act."—General Statutes, Sec. 1075.

Government of certain cities by commission.—
"In all elections held for the election of city or school offices, or for the purpose of authorizing the issuance of any bonds for school purposes, or other public improvement, or in the adopting or rejection of this act, and in all elections held under this act, the right of any citizen to vote shall not be denied or abridged on account of sex, and women may vote at such elections the same as men and under like restrictions and qualifications and any women possessing the qualifications of a voter under this act shall also be eligible to any such city or school office."—Gen. Stat., Sec. 1224.

Cities of the second class.—"In all elections held under this act for the election of city officers or for the purpose of authorizing the issuance of any

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bonds for school purposes or for other public improvements, the right of any citizen to vote shall not be denied or abridged on account of sex, and women may vote at such elections under like restrictions and qualifications as men, and any woman possessing the same qualifications required for city officers under the provision of this act shall be eligible to any city office."—Gen. Stat., Sec. 1478.

There is a Board of Education in first class cities (Sec. 7555) and in second class cities (Sec. 7578), but third class cities are under district system (Sec. 7629).

District officers.—Director, clerk and treasurer, elected at annual meeting.—Sec. 7443.

Qualified electors at district meetings are: First, constitutional electors who are residents. Second, "All female persons over the age of twenty-one years, not subject to the disqualifications named in Sec. 2, Art. V., of the Constitution of the State and who shall be residents in good faith of the district for thirty days next prior to the time of offering to vote at third election."—Sec. 7405.

State vs. Parry, 52 Kan. 1, 33 Pac. 956.—Women cannot vote for Justice of Peace even in cities as he is a "township" not "city" officer. (Nor for several other judicial officers on same ground.)

OFFICE-HOLDING.—There is no express and appears to be no implied restriction on the right of

women to hold office in general, although some special offices are barred.

Governor.—No qualifications.—Const., Art. I., Sec. 103. For other State officers, including Superintendent of Public Instruction.—No qualifications.

Members of legislature must be “qualified voters.”—Const., Art. II., Sec. 4.

For Judges.—No qualifications.—Const., Art. III.

Trustees of Public Institutions, appointed by governor.—No qualifications.—Const., Art. VII., Sec. I.

For school and municipal officers.—“Any woman possessing the qualifications of a voter under this act shall also be eligible to any school or city office.”—Code, Sec. 733. Woman is eligible to office of county superintendent, there being no express or implied exclusion in section of Constitution creating office.

Office-holding is not confined to electors and there is a presumption in favor of extending it unless non-voters are expressly excluded. *Wright vs. Noell*, 16 Kan. 601.

Government of certain cities by commission. See *supra* for qualification of officers.—Gen. Stat., Sec. 1224.

Cities of second class.—See *supra* for qualification of officers.—Gen. Stat., Sec. 1478.

Third class cities.—“The officers elected or

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appointed under this act shall be qualified electors of said city under the Constitution and laws of this State."—Gen. Stat., Sec. 1521.

Attorneys.—"Any citizen of the United States."
—Gen. Stat., Sec. 429.

Notaries Public.—No qualifications.—Gen. Stat., Sec. 5453.

Matron compulsory in the following places: Detention Home (Gen. Stat., Secs. 5121, 5123). In Police Department, cities first class (Secs. 985-87). Deaf and Dumb Institution (Sec. 8438). Boys' Industrial School (Sec. 8654). Girls' Industrial School (Sec. 8678). "Provided that the superintendent, matron, teachers and attendants of this institution shall be women."

State Board of Control.—"Three electors of the state" to be state board of control and trustees of all state institutions.—Gen. Stat., Sec. 7894.

"Two suitable women" are to be appointed visitors of state institutions.

Probation officers.—"Discreet persons of good character."—Gen. Stat., Sec. 5079. Sec. 5101, same.

KENTUCKY

GENERAL SUFFRAGE.—Women have no state suffrage.

Const., Sec. 145. "Every male citizen of the United States of the age of twenty-one years . . . shall be a voter in said precinct and not elsewhere," except convicts, prisoners and insane persons.

Russell's Statutes, Sec. 3992. "Every male citizen . . ." follows Constitution in terms.

SPECIAL SUFFRAGE.—Women have a very limited school suffrage.

The school tax is to be levied after election by "legislative voters" authorizing same.—Rus. Stat., 5610a-9.

Election of trustees of common school district. "At this election the qualified voters of the district shall be the electors; and any widow having a child between six and twenty years of age and any widow or spinster having a ward between the ages of six and twenty years, may also vote."—Sec. 5710. (Ky. Stat., 4434.)

This section is construed in *Ball vs. Cawood*, 23 Ky. Law Rep. 2315, 67 S. W. 37, to forbid vote of divorced wife where custody of children not given her by decree.

Taxation in common school districts.—The will of the people to be taken on a special tax. "Any widow or spinster residing in any school district who is a taxpayer or who has children within the ages fixed by the Common School Law to be educated, shall be deemed a qualified voter under

this chapter."—Sec. 5672. Sustained and applied, *Taylor vs. Sparks*, 118 S. W. 970 (1909).

If allowed to vote, a woman is presumed to have been within the above classes. *Sisk vs. Gardiner*, 25 Ky. Law Rep. 18, 74 S. W. 686.

School districts in municipal districts under separate charter and paying special local tax.—Election of school trustees in such districts. "Any person shall be eligible to this office of school trustee who is over twenty-one years of age and who has been a resident of the sub-district for which he is elected sixty days before the election, and who is able to read and write as shown by a certificate of five reputable citizens of the sub-district, and all male persons over twenty-one years of age who have resided in the school sub-district sixty days next before an election shall have the right to vote at such election."—Laws of 1910, ch. 114, amending Laws of Mar. 24, 1908.

The general sections on graded common school districts (Rus. Stat., Secs. 4460-4500) appoints no special qualifications for voting and therefore Sec. 5672 held to apply, and women vote. But act of 1908 as amended (*cf.* above) on graded school districts in special charter municipal districts with special tax takes them out of the general case and the male requirement is not cancelled by Sec. 5672. *Jeffries vs. Trustees of Columbia Graded School*, 122 S. W. 813 (1909).

(*N.B.*—School suffrage in second class cities was repealed in 1902, leaving women only suffrage in country districts.)

OFFICE-HOLDING.—Women are held not eligible to any constitutional office but may occupy appointive ones and school offices, etc.

Women are not eligible to offices created by the Constitution. (Here jailer.) *Atchison Co. Judge vs. Lucas, Duncan vs. Same*, 53 Ky. 451.

Qualifications for particular offices.—Legislators, citizens and residents.—Const., Sec. 32. Governor, resident and citizen.—Sec. 72. Same, Lieutenant-governor.—Sec. 82. Attorney-general must be an attorney.—Sec. 92. County officers must be citizens and residents.—Sec. 100. Judges,—citizens, must be residents and attorneys.—Sec. 114. Attorney. "Any person over the age of twenty-one years."—Rus. Stat., Sec. 4993. Notaries Public. No qualifications.—Rus. Stat., Sec. 2015. A married woman may hold the office of notary public since it is created by statute and not by the Constitution. *Harbour Shoe Co. vs. Dixon*, 22 Ky. Law Rep. 1169, 60 S. W. 168. County superintendent of schools must be citizen.—Rus. Stat., Sec. 5618. School district trustees, *cf. supra*—Laws of 1910, ch. 114. Board of Control of charitable institutions is to be composed of four citizens, twenty-five years of age, appointed by the governor.—Rus. Stat., Sec.

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5143. Reform schools, boys and girls, placed under the board of penitentiary commissioners, and trustees thereof abolished.—Sec. 5192, Sec. 5199 n.

(Women had been on the board of the Girls' School.) Women physicians at insane asylums.—Sec. 4214.

LOUISIANA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

"Every male citizen of this State and of the United States . . . shall be an elector and shall be entitled to vote at any election in this State by the people. . . ." Subject to restriction as to: 1. residence, 2. registration, 3. educational or property or grandfather clause, 4. poll tax.—Const., Art. 197.

(*N.B.*—No re-enactment of clause of Constitution in qualification of electors.)

Act 98, 1908—Registration. Repeats Constitution on education, property, and grandfather qualification.

SPECIAL OR LOCAL SUFFRAGE.—Women have certain rights as taxpayers only.

"Upon all questions submitted to the taxpayers as such of any municipal or other political subdivision of this state the qualifications of such

taxpayers as voters shall be those of age and residence prescribed by this article, and women taxpayers shall have the right to vote at all such elections, without registration, in person or by their agents authorized in writing, but all other persons voting at such elections shall be registered voters."

—Const., Art. 199.

Revised Laws. Act 214, 1902, p. 406. Free Public Schools. "Be it further enacted that all taxpayers voting at said election shall be registered voters, except women taxpayers, who shall vote without registration. All taxpayers entitled to vote shall vote either in person or by their agents, authorized in writing."—Sec. 21.

A school tax over the constitutional limit may be allowed if submitted to the property taxpayers of the district.—Const., Art. 232.

A widow in order to vote on this must have the amount of her "community property" in her husband's estate ascertained. *Smith vs. Parish Board*, 52 So. 122 (Mar., 1910).

OFFICE-HOLDING.—Women have been given school offices but a modification of the Constitution has made their holding these offices probably unconstitutional. "No person shall be eligible to any office, state, judicial, parochial, municipal, or ward, who is not a citizen of this State, and a duly qualified elector of the State, judicial district, parish, municipality or ward, wherein the func-

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tions of the office are to be performed."—Const., Art. 210 (1908).

"That Art. 233 (232) of the Constitution of 1879 of the State of Louisiana is hereby declared operative, and women over twenty-one years of age are hereby declared eligible to any office of control or management under the school laws of this State."—Laws of 1892, p. 80, ch. 57.

(*N.B.*—Constitution of 1898 contains no such clause and quære if provision is now constitutional under Art. 210 of 1908, *cf. supra.*)

Qualifications for particular offices.—"Every elector under this Constitution shall be eligible to a seat in the House of Representatives and every elector . . . shall be eligible to the Senate."—Const., Art. 24.

Justices of the Peace must be "freeholders and qualified electors."—Const., Art. 126.

State Board of Charity, composed of six persons appointed by governor.—Const., Art. 295.

State Insane Asylum. Board of administrators composed of "eight persons" appointed by governor.—Const. (Sec. 1761, Act 146, 1898).

Factory inspectors appointed by mayor and police juries; no qualification mentioned here.—Amendment to Constitution and Revised Laws (1904–1908), p. 146.

Women actually appointed under constitutional amendment following: Amendment to the Constitution, Sec. 210 (passed Nov. 1906) v. 2,

p. 1960, "to allow the appointment or election to office of factory inspectors, of either male or female persons. . . ."

Attorney.—"Any citizen of the United States possessing the qualification (except that of residence) necessary to constitute a legal voter shall be admitted to practise . . . " law.—Revised Laws, Sec. III.

Notary public.—"Any male citizen of the State may be appointed a notary public."—Revised Laws, Sec. 2503. *State ex rel Davis vs. Police Jury of Webster Parish*, 45 So. 47 (1907). A woman acting as deputy clerk is a *de facto* officer and her acts are no prejudice to party in suit in issuing writ.

MAINE

GENERAL STATE SUFFRAGE.—No state suffrage open to women.

"Every male citizen of the United States of the age of twenty-one years and upward, except paupers, persons under guardianship and Indians not taxed . . . (residence) . . . shall be an elector for governor, senators and representatives, in the town or plantation where his residence is so established."—Constitution, Art. II., Sec. I.

Revised Statutes of 1903, p. 92. Qualification and registration of voters. Sec. 2. "Every male

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citizen" 1. who had right to vote in 1893, together with, 2. those sixty years old, and 3. every male citizen (except paupers, persons under guardianship and Indians) who can intelligently read and write ". . . shall have the right to vote at any national, state, city or town election."

SPECIAL OR LOCAL SUFFRAGE.—There is no civil special suffrage.

Separate school suffrage does not exist as school officers are elected at town meetings, and municipal suffrage is covered by the previous heading.

Parishes and religious societies.—"A person of either sex, of lawful age, may become a member of a parish or religious society by vote thereof at a legal meeting."—Revised Statutes, Sec. 14, p. 229.

OFFICE-HOLDING.—Women are not prohibited from holding any office except by inference but the *trend* of opinion is that they cannot hold constitutional offices.—Opinion of Justices, 62 Me. 596.

Qualifications for particular offices:

Representatives "five years a citizen of the United States."—Const., Art. IV., Sec. 4.

Senators, same.—Const., Art. IV., pt. 2.

Governor must be "natural born citizen of the United States."—Constitution, Art. V., Sec. 4.

Secretary, treasurer, judges, sheriffs, mentioned in constitution without qualification.

"No person shall be denied admission or license to practise as an attorney at law on account of sex."—Revised Statutes, p. 702, Sec. 24 (L. 1899, c. 98).

Maine Industrial School for Girls, under six trustees, two of whom are women.—Revised Statutes, Sec. 20, p. 1000.

"Deeds shall be acknowledged by the grantors . . . before a justice of the peace . . . or woman otherwise eligible under the constitution and appointed for the purpose by the governor with the advice and consent of the council. . . ."—Revised Stat., p. 659, Sec. 20.

Held constitutional, although a woman could not be appointed a notary public directly. Opinion of Justices, 62 Me. 596.

Marriage . . . "The governor with the advice and consent of the council may appoint women otherwise eligible under the constitution, to solemnize marriages."—Revised Statutes, p. 574, Sec. II. Tenure of office. "The appointment of any woman under the laws of the state to solemnize marriages, administer oaths and take acknowledgments of deeds shall authorize her to act within every county of the state and shall continue for a term of seven years."—Revised Statutes, Sec. 38, p. 57.

Clerks of the town may appoint a deputy. "The clerk may also appoint a woman, otherwise qualified by the constitution, who in his absence

may so far act as deputy clerk as to receive and record chattel mortgages and other papers, and make certified copies of the records in the clerk's office."—Revised Stat., Sec. 18, p. 73.

Sec. 1 of Salaries of Public Officers, requires four assistants at Insane Hospitals, "one of whom shall be a female" and a matron (p. 891). Government of the two insane hospitals "vested in a committee of seven trustees, one of whom shall be a woman," appointed by the governor.—Rev. Stat., p. 1004, Sec. 1, Insane Hospitals.

Committee of the council consisting of two persons "with whom shall be associated one woman," appointed by the governor to visit hospitals. P. 1009, Sec. 30.

"The governor . . . may, upon the written recommendation of any judge of the Supreme Court appoint competent stenographers of either sex, as commissioners to take depositions in all cases . . . who shall hold office for four years."—Revised Statutes, p. 867, Sec. 30 (1885, c. 327).

Jurors. "Persons" under seventy are qualified to serve as jurors. Exemptions do not include women.—Revised Statutes, p. 860, Secs. 2, 3.

Towns. "No person is ineligible to the office of superintending school committee on account of sex."—Revised Stat., p. 208, Sec. 29 (1897, c. 327). (Elected at town meetings.)

MARYLAND

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

“Every white male citizen of the United States . . . shall be entitled to vote, in the ward or election district in which he resides, at all elections hereafter to be held in this State.”—Constitution, Art. I., Sec. 1.

“Only persons constitutionally qualified to vote in the precinct at the next election and personally applying for registration shall be registered as qualified voters.”—Public Laws of 1904, Art. 33, Sec. 17.

SPECIAL OR LOCAL SUFFRAGE.—There is no special suffrage open to women and practically no form of special suffrage except municipal in the state.—Constitution, Art. XI., Sec. 1. Baltimore. Franchise same as for state (*cf.* also, Baltimore Charter, 1898).

(*N. B.*—Municipal suffrage is governed by the charter of each municipality. One village—that of Stillpond—allows women to vote under its charter.)

OFFICE-HOLDING.—Women hold no office except that of notaries. They are expressly excluded from many but in most cases there is nothing in the laws to exclude them.

Qualifications for particular offices:

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Governor must be a citizen, resident, and "qualified voter."—Const., Art. II., Sec. 5.

Senator and delegate must be citizen and resident.—Art. III., Sec. 9.

Judges must be citizens and qualified voters.—Art. IV., Sec. 2.

Attorney-General must be citizen, qualified voter, and attorney. States attorney (in each county) must be resident and attorney.—Art. V., Sec. 4.

Treasurer and Controller.—No qualifications.—Art. VI.

County Commissioner, Surveyor, States Librarian, Commissioner of Land Office, Wreck Master. No qualifications.—Art. VII.

"Women shall be permitted to practise law in this state upon the same terms, conditions and requirements and to the same extent as provided in this article with reference to men."—Public Laws, Art. 10, Sec. 4 (1902, ch. 399).

Notary Public.—"Ten women in other respects qualified, and no more, shall be eligible as notaries public in the city of Baltimore, and one woman . . . in each of the counties of the state."—Art. 68, Sec. 10 (1902, ch. 12, 1904, ch. 15). Sec. 11, validates acts of female notaries public previously done.

State Board of Education appointed by governor consists of six members, no qualifications.—Art. 77, Sec. 5.

Governor appoints Board of County School Commissioners, six members, no qualifications.—Sec. 6.

District school trustees appointed by County School Commissioner. No qualifications.—Sec. 7.

Governor appoints Superintendent of Public Education. No qualifications.—Sec. 18.

Board of Library Directors. No qualifications.—Sec. 98. "Seven discreet persons" shall constitute Board of State Aid and Charities.—Art. LXXXVIII. a. (88a) (1900) Sec. 1.

Mayor of city must be citizen, resident, and property owner. City Council must be citizens, residents, and property owners.—Constitution, Amendments to Art. XI.

MASSACHUSETTS

GENERAL STATE SUFFRAGE.—"Every male citizen of twenty-one years of age and upwards . . . shall have the right to vote in such election of governor, lieutenant-governor, senators and representatives; and no other person shall be entitled to vote in such election." Const., Amendment III.

Amendment XVII. Secretary, Treasurer, Auditor, and Attorney-General, same qualifications as to electors as Amendment III. The word voter in Election Law shall mean "registered male voter."—Revised Laws, ch. 11, Sec. 1.

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Note on ch. 11, Sec. 13 (Election Law).
"Women are not entitled to participate in or vote at caucuses of the several political parties."—*Opus A. G.*, Dec., 1903, An. Reg., p. 60.

SPECIAL OR LOCAL SUFFRAGE.—The only special suffrage possessed by women is the school suffrage.

1. *School suffrage*.—"Every male citizen of twenty-one years or upwards, not being a pauper or a person under guardianship, who is able to read the constitution of the Commonwealth in the English language and to write his name and who has resided within the Commonwealth one year and within the city or town in which he claims a right to vote six calendar months last preceding a state, city or town election may have his name entered on the list of voters in such city or town and shall have the right to vote therein in any such election or in any meeting held for the transaction of town affairs upon complying with the provisions hereinafter set forth. . . ."—Rev. L. 1902, ch. 11, Sec. 12.

"Every female citizen having the qualifications of a male voter required by the preceding section may have her name entered upon the list of voters for school committee upon complying with the requirements hereinafter set forth."—Sec. 13.

Poll tax. Assessors to make "true lists as nearly as they can ascertain . . . of every male person" twenty years and over liable to be assessed

for poll tax and "shall enquire at the residence of women voters," whose names are on the lists "and shall make a true list of women voters found by them."—Sec. 15.

(*N.B.*—Women do not pay poll tax—Rev. Laws, ch. 12, Sec. 1.)

The registrar of voters "shall keep in general registers records of all persons, male and female, registered as qualified voters in the city or town."—Sec. 43.

The registrar shall enter all names on the poll tax assessment . . . "and likewise the name and residence, as aforesaid, of every woman voter whose name is contained in the list of women voters transmitted to them, as provided in Sec. 16." Provided they can identify same as that of a man or woman whose name was on the voting list of city or town at last preceding election or town meeting.—Sec. 44.

Every person, male or female, whose name is not so entered must apply in person and prove qualifications.—Sec. 45. Voting list is made up from the annual register of voters. "They shall enter the names of women voters in separate columns or lists."—Sec. 60.

2. *Local option.*—The city may at its annual town meeting vote to issue licenses. The aldermen and selectmen "shall insert in the warrant for the annual city election or town meeting an article providing for a vote upon the question. . . ."—

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Sec. 10. *I.e.*, women do not vote on this question.

OFFICE-HOLDING.—The general theory of the Massachusetts law is that women are not eligible to constitutional office and cannot be made so even by statute. It makes no difference that there is no express prohibition in constitution. The constitution to be interpreted with view to its historical meaning. Women are quite liberally admitted by statute to non-constitutional offices.

Qualifications for particular offices.—Governor must be “an inhabitant of this Commonwealth for seven years.”—Const. of 1870 with amendments to 1902, ch. 2, Sec. 1.

Lieutenant-governor, inhabitant.—Sec. 2.

Counsellor must be an inhabitant.—Amendment XVI.

Notaries Public appointed by governor in same manner as judicial officers for seven years, removed by governor on address of both houses with consent of council.—Amendment IV.

“The Governor, with the advice and consent of the council, may appoint women who are twenty-one years of age as special commissioners for a term of seven years. Special Commissioners shall have like powers as justices of the peace to administer oaths, take depositions, affidavits, acknowledgments of deeds and other instruments, to issue summons for witnesses and to appoint

appraisers in all cases. They shall be entitled to like fees as justices of the peace for like services."

—Rev. Law, ch. 17, Sec. 5.

Special Commissioners may take acknowledgments of deeds for record.—Ch. 127, Sec. 8.

(*N.B.*—Ch. 17 gives notaries less duties and powers than special commissioners and makes no qualifications as to sex, but cases hold that women cannot be notaries public.)

"A woman cannot lawfully be appointed justice of the peace."—*In re Op. of Just.*, 107 Mass. 604.

The law allowing the appointment of women special commissioners with the power to administer oaths, etc., does not show the intent of the legislature that women shall be notaries public. There is no positive qualification in law or constitution, but Court intimates that a constitutional office could not be opened to women by statutes though there is no express prohibition in Constitution. (*In re Op. of Just.*, 150 Mass. 586, 23 N. E. 850, 6 L. R. A. 842.)

The Constitution, Art. IV., does not authorize the appointment of a woman as a notary public even if statute to that effect passed. (s. c. and 165 Mass. 599, 43 N. E. 927.)

State Board of Charities composed of "nine persons," two appointed by governor, for five years.—Rev. Laws, ch. 84.

Woman agent to be employed.—Sec. 5.

Governor may appoint women on board for

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the following reasons: 1. Women are now on the subordinate boards; 2. there is no settled policy against them in such positions as in case of attorneys; 3. "persons" include women.—*Op. of Just.*, 136 Mass. 579.

Town Clerk.—The assistant town clerk may be a woman and may, in the absence of the clerk, "perform his duties and have his powers and be subject to the requirements and penalties applicable to him." Appointed and paid by clerk.—Rev. L., ch. 25, Sec. 62. But, town may elect a clerk *pro tem*. (This may be a woman.)

County Commissioners.—The clerk *pro tem* in counties where there is no assistant clerk of courts may be a woman.—Rev. Laws, ch. 20, Sec. 19.

Boards of registration.—Board of Registration in dentistry. Five persons, male or female, residents and doing business in the Commonwealth, skilled dentists, to examine for registration.—Rev. Laws, ch. 76, Sec. 24.

(*N.B.*—Boards of registration in medicine [Sec. 1] and pharmacy [Sec. 10] make no mention of sex.)

Election of town officers.—"Women shall be eligible as overseers of the poor and school committee."—Rev. Laws, ch. 11, Sec. 334.

Women may be school committee, as that office is not a constitutional one.—*Opinion of Justices*, 115 Mass. 662 (1874).

Police matrons required in cities of thirty

thousand inhabitants.—Rev. Laws, ch. 108, Sec. 32.

Inspection department of the district police “consists of thirty-three male and two female members,” and a chief. Appointed by the governor for three years.—*Id.*, Sec. 1. (Duties, inspect factories, public buildings, steam boilers, employment of women and children, etc.)

1902. “No one shall be deemed ineligible to hold the office of weigher of coal in any city or town by reason of sex.”—Ch. 57, Sec. 83a. (Appointed by mayor and council of each town.)

Registers of deeds. “Register may, subject to the approval of the superior court, appoint an assistant register of deeds, who may be a woman, who shall give bond in the same manner as the register, who shall be removable at his pleasure and for whose official acts he shall be responsible.”—Revised Laws, ch. 22, Sec. 8.

Libraries. Town to elect library trustees, male or female. Any number divisible by three.—Ch. 38, Sec. 7.

Official Boards appointed by governor.

State Industrial School for Girls and Lyman School for Boys. Two out of seven members of board to be women.—Ch. 86.

Two out of the seven members of the boards of the various state insane institutions to be women.—Ch. 87.

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State Hospital and State Farm. Two out of seven on boards to be women.—Ch. 85.

Registers of Probate and Insolvency.—In Bristol, Berkshire, Franklin, Hampden, and Hampshire counties the judges of the county may appoint woman assistant register of probate and insolvency.—Revised Laws, ch. 164, Sec. 17.

Justice of the superior judicial court may appoint woman assistant clerk of court in Hampden county.—Ch. 165, Sec. 4.

Attorneys.—“A citizen of the United States or an alien . . . (first papers) . . . whether man or woman, may . . .” petition to be examined for admission to the bar.—Ch. 165, Sec. 41.

Probation. The Chief Justice of the Municipal Court may appoint in the City of Boston “not more than five male and two female assistant probation officers.”—Rev. Stat., ch. 217, Sec. 81.

1905, (added). Justice of the Municipal Court of South Boston and of Roxbury may appoint one female assistant probation officer.

1906, (added). Justice of the third district of city or East Middlesex may appoint one female assistant probation officer.

Civil Service. “Nothing herein shall prevent the certification and employment of women.” (At end of section placing veterans at head of lists.)—Revised Laws, ch. 19, Sec. 21.

“An assistant clerk of courts under the provisions of Sec. 7 of ch. 165 of the Revised Laws or

under the provisions of ch. 287 of the acts of 1904 may be a woman."—Acts and Resolves 1907, ch. 234.

Sec. 80 of ch. 13 of the Rev. Laws amended by adding "Any such deputy may be a woman." (Authorized appointment of deputy tax collectors.)—Acts and Resolves, 1908, ch. 247.

Women may be appointed assistant clerks in police, district, or municipal courts. Appointed by the clerk with the approval of the justice.—Acts and Resolves, 1909, ch. 289.

MICHIGAN

GENERAL SUFFRAGE.—Women have no state suffrage.

"In all elections every male inhabitant of this state, being a citizen of the United States . . . every male inhabitant of foreign birth . . . (who has declared his intention to become a citizen) . . . every civilized inhabitant of Indian descent . . . shall be an elector and entitled to vote."—Const., Art. VII., Sec. 1.

SPECIAL SUFFRAGE.—Women have school suffrage and municipal taxpaying suffrage.

1. *Municipal taxpaying suffrage.*—Women do not vote in ordinary municipal elections. Compiled Laws, ch. 81 (Towns), Sec. 2381. "Each

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inhabitant of any township having the qualifications of an elector as specified in the constitution of this state, and no other person, shall have the right to vote on all matters and questions before any township meeting. . . ."

Villages are incorporated on petition of thirty "legal voters."—Ch. 87 (Villages), Sec. 2686.

Question of incorporation voted on by electors qualified to vote for township officers.—Sec. 2694.

Women have the vote when the question involves spending money.—Comp. Laws, ch. 28 (Cities), Sec. 2958. Any one hundred or more freeholders may present petition to incorporate village or fourth class city.—Sec. 2960. Question to be voted on by "village electors."—Sec. 2980. "The inhabitants of cities having the qualifications of electors under the Constitution of the State, and no others, shall be electors therein." Cf. in municipal suffrage also *Coffin vs. Thompson, infra*.

At any election in any village, city, township, county or school district, every woman who possesses the qualifications of male electors and has property assessed for taxes in the city, village, etc., shall be entitled to vote on any question involving the direct expenditure of public money or the issue of bonds. Sec. 2 extends same right to women who own property jointly with their husbands or on contract. For all elections other than school elections women who vote must be registered.—Laws of 1909, No. 206, Secs. 1, 2.

2. *School suffrage*.—Regents of the University, elected with judges.—Const., Art. XIII., Sec. 6.

Board of Education, elected at the general election.—Sec. 9. (Comp. Laws, Sec. 3708, same.) These are, therefore, constitutional offices and out of the reach of any statutory extension of the school suffrage to women.

Act 138 of 1893 conferring on women the right to vote for all school, village, and city officers declared unconstitutional in *Coffin vs. Thompson*, 97 Mich. 189, 56 N. W. 567, construing Const., Art. XV., Sec. 14.

Const., Art. XV., Sec. 14. "Judicial officers of cities and villages shall be elected and all other officers shall be appointed or elected at such times and in such manner as the Legislature may direct."

But voters at school meetings never considered identical with electors as defined in the constitution, and the school offices which the constitution directs the Legislature to create may be made elective by women.—*Belles vs. Burr*, 76 Mich. 1.

The election of a Board of Education at annual charter election does not make such election a school district meeting under Sec. 4662 to give women the right to vote thereat.—*Mudge vs. Stebbins*, 59 Mich. 165.

In all school elections every citizen of the United States of the age of twenty-one years, male or female, who owns property which is assessed for taxes in the district or who is the parent or guard-

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ian of any child of school age residing in the district three months shall be a qualified voter. When husband and wife own such property jointly each may vote.—Comp. Laws, Sec. 4662 (as amended by Laws of 1909, ch. II., No. 83).

Qualified electors may change organized township into single school district.—Laws of 1909, No. 117, Sec. 1. Qualification of voters here same as 1903, No. 83, *supra*.

OFFICE-HOLDING.—Women are not expressly excluded from office in general and only from a few in particular, though the tendency is to confine them to administrative office.

Under Const., Art. X., Sec. 3, providing that the prosecuting attorney be elected, the electors cannot choose a person not of their number without express enactment permitting it, therefore a woman is not eligible.—*Attorney-General vs. Abbott*, 121 Mich. 540, 80 N. W. 372.

Qualifications for particular offices.—Senators and representatives must be citizens and qualified electors.—Const., Art. IV., Sec. 5.

Governor and lieutenant-governor, citizen and resident.—Art. V., Sec. 2.

Jurors.—“Suitable persons having the qualifications of electors.”—Art. V., Sec. 2.

Attorneys.—“No person shall be denied admission to practise as an attorney and counsellor at

law and solicitor and counsellor in chancery on account of sex."—Compiled Laws, Sec. 1122.

Cities and Towns. "No person except a citizen of the United States and an elector as aforesaid shall be eligible to any elective office contemplated in this chapter. Provided, however, that any female person above the age of twenty-one years who has resided in this state six months and in the township twenty days next preceding an election shall be eligible to the office of school inspector."

—Compiled Law, Sec. 2382.

"No person shall be elected or appointed to any office unless he be an elector of the city."—Sec. 2996.

Any qualified voter in a school district whose name appears upon the assessment roll and who is the owner in his own right of the property assessed shall be eligible to office in the school district. Also where property is the joint property of husband and wife both shall be eligible.—Laws of 1909, No. 83, ch. III.

Qualifications for office in township school district the same. Township officers are to be five trustees.—Laws of 1909, No. 117.

Insane Asylums. Board appointed by Governor, no qualification.—Comp. Laws, Sec. 1893.

Women physicians in Insane Hospitals, Industrial Homes, Feeble-minded Home, School for Deaf and Blind, and all similar institutions.—Laws of 1899, No. 185, Sec. 1.

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Board of directors appointed by governor, without qualifications, for School for Deaf (Ch. 70); Blind (Sec. 2009); State Public School (Sec. 2021); Feeble-minded Home (Sec. 2036).

Board of Industrial Home for Girls to be "three persons at least one of whom shall be a woman."—Comp. Laws, Sec. 2218.

State Board of Charities and Corrections to be "four suitable persons, resident of the state."—Sec. 2250.

"Governor may appoint one or more suitable females" to inspect state institutions in behalf of the State Board of Charities.—Sec. 2259.

Police matrons in cities of ten thousand or more. To be recommended for appointment by twenty women.—Sec. 3452.

"At least one deputy factory inspector shall be a woman."—Laws of 1901, No. 113, Sec. 12.

Notaries Public.—"No person shall be eligible to receive such an appointment unless he or she shall be . . . of the age of twenty-one years, a resident of the county for which he or she desires to be appointed notary public and a citizen of this State."—Comp. Laws, Sec. 2629.

Woman school inspector. Court declined to pass on the question of her eligibility as the board acted by majority in this instance whether she voted or not.—*Donough vs. Dewey*, 82 Mich. 309.

Woman may be appointed a deputy county clerk as duties are purely ministerial.—*Wilson vs.*

Newton and Wilson vs. Genesee Circuit Judge, 87 Mich. 493 and 49 N. W. 869.

MINNESOTA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. VII., Sec. 1.—“Every male person of the age of twenty-one years or upwards belonging to either of the following classes . . . shall be entitled to vote at such (any) election.” 1. Citizens of the United States; 2. Half-breeds, civilized; 3. Indians, if admitted by court.

“Every person qualified as a voter may register. . . .”—Revised Statutes, 1905, Sec. 192.

SPECIAL OR LOCAL SUFFRAGE.—Women have the school suffrage, apparently complete but actually much curtailed by decisions.

“Women may vote for school officers and members of library boards, and shall be eligible to hold any office pertaining to the management of schools and libraries. Any woman of the age of twenty-one years and upward and possessing the qualifications requisite to a male voter may vote at any election held for the purpose of choosing any officer of schools or any member of library boards, or upon any measure relating to schools or libraries,

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and shall be eligible to hold any office pertaining to the management of schools and libraries."—Const., Art. VII., Sec. 8.

Separate ballot box to be provided where women entitled to vote.—Rev. Stat., Sec. 256.

Formation of school district on petition of "majority of freeholders qualified to vote for school officers."—Rev. Stat., Sec. 1281.

Consolidation of school districts to be by election on petition of "majority of resident freeholders qualified to vote at school meetings."—Rev. Stat., Sec. 1289, 1290, 1291.

State ex rel Hahn vs. Gorton, 33 Minn. 345 (1885), holds, that County Superintendent of Schools is an office under Constitution, Art. VII., Sec. 8, and women are eligible—*i. e.*, Sec. 8 of the Constitution takes women and school offices out of the operation of Sec. 7, which would deny them both the vote (in conjunction with Sec. 1) and office. But women cannot vote for county officers at general election (as here County Superintendent of Schools), only at school election.

Town superintendent elected at town meeting (*i. e.*, women cannot vote). County Superintendent of Public Instruction elected at general county election.—Supplement of 1909, Sec. 1388.

OFFICE-HOLDING.—Women are eligible to school offices and to appointive but not to elective offices.

"Every person who by the provisions of this article shall be entitled to vote at any election, shall be eligible to any office which now is or hereafter shall be elective by the people in the district wherein he shall have resided. . . ."—Const., Art. VII., Sec. 7.

School offices.—See *supra*, Const., Art. VII., Sec. 8, and *State ex rel Hahn vs. Gorton, supra*.

"Any woman who is a citizen of this state is eligible to appointment as a deputy of any county official authorized by law to appoint deputies."—Rev. Stat., Sec. 616.

Attorneys.—Word "persons" used, there is no sex qualification.—Supplement, Sec. 2279.

Notaries Public.—Governor appoints "citizens of this State."—Supplement, Sec. 2656.

Probation officer, no qualifications.—Supplement, Sec. 5496.

Matron for every lockup where women are confined.—Sec. 5490.

State Board of Control and Charities to be three members appointed by governor, no qualifications.—Rev. Stat., Sec. 1858.

Insane hospitals. "The board when it deems proper may appoint a competent woman to visit and report upon any such hospital or asylum."—Rev. Stat., Sec. 1878.

Bureau of Labor. "Commissioner of Labor is hereby authorized and directed to appoint . . . a competent woman as a special inspector . . .

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to examine factories where women work."—Supplement, Sec. 1792, Sub-div. 2.

"There shall be appointed by Commissioner of Labor a competent woman to act as assistant Commissioner of Labor and such women factory inspectors as may be necessary."—Supplement, Laws of 1909, ch. 497, Sec. 2.

Trautman vs. McLeod, 76 N. W. 964 (1898), 74 Minn. 110. The provision of General Statute (1894) Sec. 3665, giving women eligibility to offices pertaining to management of schools, did not repeal provision of special act incorporating the town of "Reads" and making town trustees school trustees, so that in that town at least women cannot actually vote for school trustees.

MISSISSIPPI

GENERAL SUFFRAGE.—Women have no form of state suffrage.

"Every male inhabitant of this state, except idiots, insane persons and Indians not taxed, who is a citizen of the United States . . . is declared a qualified elector."—Const., Art. XII, Sec. 241.

SPECIAL SUFFRAGE.—Women have only a very limited form of school suffrage.

1. *School suffrage.*—Meeting of "patrons of the

school" to elect trustees. Hold-over trustees to prepare list of "patrons entitled to vote for trustees." (Except in separate school district, *i. e.*, cities.)—Code, Sec. 4519.

Under this a widow gets a vote.

In separate school district, *i. e.*, cities, trustees are chosen by mayor and aldermen.—Code, Sec. 4526.

In separate school district with no municipal organization, on petition of majority of taxpayers Board of Supervisors shall levy tax for school.—Code, Sec. 4531.

(County superintendent appointed by state superintendent, Sec. 4511.)

2. *County and municipal suffrage.*—Women are entirely excluded from this.

"Electors in municipal elections shall possess all the qualifications herein prescribed and such additional qualifications as may be provided by law."—Const., Art. XII., Sec. 245.

Electors of municipality are to be same as electors of county.—Code, Sec. 3434.

3. *Taxpaying suffrage.*—If "twenty per cent. of adult taxpayers" of city shall petition against the issue of bonds by the city they shall not issue.—Code, Sec. 3419.

4. *Local option.*—Election by the qualified voters of the county must be held upon petition of one third of the same.—Code, Sec. 1777.

5. *Miscellaneous.*—Two thirds of the resident

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freeholders and leaseholders may vote to put stock law in force.—Sec. 2235.

OFFICE-HOLDING.—Women hold no office, except that of state librarian.

“All qualified electors and no others shall be eligible to office, except as otherwise provided in this Constitution.”—Const., Art. XII., Sec. 250.

Qualifications for particular offices.—Senators and representatives must be qualified electors.—Const., Art. IV., Sec. 41.

Governor, citizen and resident.—Const., Art. V., Sec. 117.

Lieutenant-Governor, same.—Sec. 128. Secretary of State, same.—Sec. 133.

Various judicial officers, residents and citizens.—Const., Art. V., Secs. 150–171.

State Superintendent of Public Education's qualifications are the same as those of Secretary of State.—Const., Art. VIII., Sec. 202. Qualifications of the County Superintendent to be prescribed by law.—Sec. 204.

Grand and petit jurors, “qualified electors.”—Const., Art. XIII., Sec. 264.

State Librarian.—“Any woman, a resident of the state four years, and who has attained the age of twenty years, shall be eligible to said office.”—Const., Art. XII., Sec. 106.

MISSOURI

GENERAL STATE SUFFRAGE.—Const. of 1875, Art. VIII. "Every male citizen of the United States and every male person of foreign birth . . . possessing the following qualifications shall be entitled to vote at all elections by the people . . ." (residence qualifications).

Const. of 1875. Does not violate United States Constitution, Amendment XIV., in denying vote to women.—*Minor vs. Happersett*, 53 Mo. 58. Affirmed, 21 Wall 162.

Annotated Statutes of 1906, Sec. 6994. Qualification of voters.—"Every male citizen . . ." etc.; follows constitution except adds exclusion of felons and paupers. Held constitutional.—*Hale vs. Stimson*, 95 S. W. 885.

SPECIAL OR LOCAL SUFFRAGE.—Women have no limited suffrage.

1. *School*.—Const. of 1875, Art. X., Sec. 11.—"Rate for school may be increased on vote of majority of the voters who are taxpayers."

Const. of 1875, Art. XI., Sec. 4.—Board of Education, composed of Superintendent of Public Schools, Governor, etc.

An. Stat., Sec. 9750.—Annual meeting of school district, "qualified voters" alone eligible.

An. Stat., Sec. 9759.—District directors, qualified voters elected by qualified voters.

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"A qualified voter . . . shall be any person who under the general laws of this state would be allowed to vote in the county for state and county officers. . . ."

2. *Municipal suffrage*.—An. Stat., Sec. 5265.—Municipalities of the First Class. "Every male citizen" may vote; follows Constitution wording.

OFFICE-HOLDING.—A woman is eligible to any office from which she is not expressly excluded.

Const. of 1875, Art. VIII., Sec. 12.—"No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding his election or appointment."

"A woman is eligible to any office if there is no provision in the Constitution or Statutes expressly requiring the incumbent to be a male and an intent to so require is not shown by the use of the word 'his' in this section."—*State ex rel Crow vs. Hostetter*, 137 Mo. 636, 39 S. W. 270.

(Office of Clerk of County Court under discussion in case.)

An. Stat., Sec. 5300.—All elected and appointed officers shall possess the following qualifications. They shall be: 1. citizens; 2. able to read and write; 3. have taxes paid; 4. not interested in municipal contracts; 5. hold no other office.

Const. of 1875, Art. IV., Sec. 4.—Representative,

"male citizen of the United States" and "a qualified voter of this state."

Const., Art. V., Sec. 5.—Governor, "shall be at least thirty-five years old, a male and shall have been a citizen of the United States ten years. . . ."

Sec. 15.—Lieutenant-Governor, same.

Const. of 1875, Art. VI., Sec. 6.—Judges of Supreme Court, citizens of United States and Missouri.

Sec. 13.—Other judges, same.

Const. of 1875, Art. V., Sec. 19.—"No person shall be eligible to the office of Secretary of State, State Auditor, State Treasurer, Attorney-General, or Superintendent of Public Schools unless he be a male citizen of the United States."

An. Stat., Sec. 5058.—The governor appoints six persons as State Board of Charities and Correction. "Two of the members of the said board shall be women, and of the remaining four not more than two shall be of the same political party."

An. Stat., Sec. 5070.—County Board of visitors. On petition of fifteen reputable citizens, judge of the Circuit Court "shall appoint six persons, three of whom shall be women. . . ."

An. Stat., Sec. 5251, 13.—"Women shall not be disqualified from holding the position of deputy probation officers." (*Cf.* Sec. 5251, 38.)

An. Stat., Sec. 7775.—Industrial school for girls. Board of Control, four men, two women. Sec. 7778.—Officials to be women.

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Sec. 7821.—Managers of Feeble-minded Colony to be five, "two of whom shall be women."

Attorney.—An. Stat., Sec. 4920.—"Good moral character and a resident of this State" are the only requirements of the statute.

Women have been admitted.—*Crow vs. Hostetter*, *cf. supra*.

An. Stat., Sec. 8832.—Notaries Public.—"But no person shall be so appointed who has not attained the age of twenty-one years if a male, and the age of eighteen if a female, and who is not a citizen of the United States and of this State."

An. Stat., Sec. 8875.—Matrons provided for in Penitentiary. School for blind.—Sec. 7743. School for Deaf.—Sec. 7739. Feeble-minded Colony.—Sec. 7827.

An. Stat., Sec. 3762.—Juror, "male citizen."

An. Stat., Sec. 5492.—Second Class Cities. Common Council, "qualified voter."

An. Stat., Sec. 5756.—Third Class Cities. Mayor, citizen and resident. Sec. 5768.—Councilman, citizen and resident.

An. Stat., Sec. 5899.—Fourth Class Cities. Mayor to be a citizen and resident. Sec. 5911.—Alderman, citizen and resident.

An. Stat., Sec. 6006.—Villages and towns. Trustee, "male citizen of the United States."

An. Stat., Sec. 9759.—District directors, qualified voters elected by qualified voters, the only persons eligible.

"A qualified voter . . . shall be any person who under the general laws of this State would be allowed to vote in the county for state and county officers."—*State ex rel. Ing. vs. McSpaden*, 137 Mo. 628, 39 S. W. 81, construing R. S. 1889, Sec. 8086, by inference, holds that since directors must be voters women not eligible.

MONTANA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const. 1889, Art. IX., Sec. 2.—"Every male person of the age of twenty-one years and over, possessing the following qualifications, shall be entitled to vote at all general elections and for all officers that now are, or hereafter may be elected by the people and upon all questions which may be submitted to the vote of the people."

1. Citizen of the United States; 2. resident; 3. not felon, etc.

Revised Code, Sec. 462.—"Every male person of the age of twenty-one years or over, possessing the following qualifications, by law is entitled to vote at all general and special elections and for all officers." Qualifications follow constitution.

SPECIAL OR LOCAL SUFFRAGE.—Women have the taxpaying suffrage and school suffrage.

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1. *Taxpaying*.—"Upon all questions submitted to the vote of the taxpayers of the State, or any political division thereof, women who are taxpayers and possessed of the qualifications for the right of suffrage required of men by the Constitution, shall equally with men have the right to vote."—Const. 1889, Art. IX., Sec. 12.

"Upon all questions submitted to the vote. . . ."
—Revised Code, Sec. 468, re-enacts Const., Art. IX, Sec. 12 in terms.

2. *School*.—"All qualified electors of the State who have resided in the city or town six months and in the ward for thirty days next preceding the election are entitled to vote at any municipal election."—Revised Code, Sec. 3231.

"Women shall be eligible to hold the office of County Superintendent of Schools or any school district office and shall have the right to vote at any school district election."—Const. 1889, Art. IX., Sec. 10.

"Women have the right to vote at any school district election."—Revised Code, Sec. 467.

3. *Local option*.—Petitioner must be qualified elector.—Revised Code, Sec. 2041. Voter must be qualified elector.—Sec. 2044.

OFFICE-HOLDING.—Office is confined to electors, except minor school offices and appointive offices.

"No person shall be elected or appointed to any office in this State, civil or military, who is not a

citizen of the United States, and who shall not have resided in this State at least one year next before his election or appointment."—Const. 1889, Art. IX., Sec. 7.

"Any person qualified to vote at general elections and for State officers in this State, shall be eligible to any office therein except as otherwise provided in this Constitution."—Const. 1889, Art. IX., Sec. 11.

Disqualifications of public officers.—"No person is capable of holding a public office in this State, who at the time of his election or appointment is not of the age of twenty-one years and a citizen of this State."—Revised Code, Sec. 342.

"Provisions respecting disqualifications for particular offices are contained in the Constitution and in the provision of the Codes concerning the various offices."—Sec. 382.

"No person is eligible to a county office who at the time of his election is not of the age of twenty-one years, a citizen of the State and an elector of the county in which the duties of the office are to be exercised or for which he is elected."—Revised Code, Sec. 2955.

"No person is eligible to a township or district office who is not . . ." same as above except that the words "district or township" are substituted for "county."—Revised Code, Sec. 2956.

(*N.B.*—There are no disqualifications for any *State* office as far as I can find.)

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Qualifications for particular offices.—“Women shall be eligible to hold the office of County Superintendent of Schools or any school district office, and shall have the right to vote at any school district election.”—Constitution, Art. IX., Sec. 10.

It is held that “a county superintendent must be either a woman or a person qualified to vote at general elections and for State officers in this State.”—*State vs. Acton*, 31 Mont. 43, 77 Pac. 302.

“Any citizen, or person resident of this State who has *bona fide* declared his or her intention to become a citizen . . . is entitled to admission as attorney and counsellor in all the Courts of this State.”—Revised Code, Sec. 6381.

Notaries Public.—Governor appoints, no qualifications.—Revised Code, Sec. 317.

(Attorney-General Nolan in 1901 declared illegal the appointment of a woman.)

State Board of Charities and Reform composed of three members appointed by the Governor; no qualifications.—Revised Code, Sec. 272.

Probation officer.—Sheriff or constable appointed as such.—Revised Code, Sec. 9429.

NEBRASKA

GENERAL STATE SUFFRAGE.—Const. of 1875 (335), Art. VII., Sec. 1.—“Every male person of the age

of twenty-one years and upwards belonging to either of the following classes . . . shall be an elector." 1. Citizens of United States. 2. Persons who have declared their intention to become citizens.

Compiled Statutes, Sec. 3214.—Qualification of voters. "Every male person"—follows Constitution in terms.

SPECIAL OR LOCAL SUFFRAGE.—Women possess limited school suffrage.

School district meetings (Ch. 78, subdiv. 2, Sec. 4). "Every person, male or female, who has resided in the district forty days and is twenty-one years old and who owns real property or personal property that was assessed in the district . . . or who has children of school age residing in the district shall be entitled to vote at any district meeting or school election held in any district village or city."—Comp. Stat., Sec. 5430.

Held, this allows them to vote on bond issue to be submitted to "qualified electors of school district" by L. of 1879, p. 170, Sec. 2. *Olive vs. School District No. 1*, 125 N. W. 141 (1901).

(*N.B.*—State and County Superintendents are elected at general election. Therefore women do not vote for them.)

Women may vote and hold office in school districts.—*State vs. Cones*, 15 Neb. 447.

Wife of homesteader not qualified. Those

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present must be qualified voters in their own right.
—*McLain vs. Maricle*, 60 Neb. 359.

Board of Education in cities of twenty-five thousand to forty thousand. “. . . Provided that all women of the age of twenty-one years who are residents and citizens of the cities included under the provisions of this act and who have property assessed in their own names, or who have children of school age, shall be entitled to vote for members of the Board of Education and upon all matters pertaining to the schools of said cities.” Women are not required to register but must take oath as to their qualifications.—Comp. Stat., Sec. 5726.

Board of Education in metropolitan cities (one hundred thousand) chosen by “qualified electors of entire city.”—Sec. 5790.

“At elections for members of the Board of Education women may vote after taking the following oath:” (as to their qualifications).—Sec. 5813.

OFFICE-HOLDING.—Women may hold any administrative office not expressly forbidden them.

Qualifications for particular offices.—Senator and representative.—“No person shall be eligible . . . who is not an elector.”—Const. (263), Art. III., Sec. 5.

Governor must be a citizen of the United States. Lieutenant-Governor must be a citizen of the United States.—Const. (286), Art. V., Sec. 2.

No provisions as to other state officers.

Judges must be citizens of the United States.—Const. (317), Art. VI., Sec. 7.

Women may vote and hold office in school districts.—*State vs. Cones*, 15 Neb. 447.

Attorneys must be "person" of good character, twenty-one, etc.—Comp. Stat., Sec. 678.

Governor appoints notary public on petition of "twenty-five legal voters" of county.—Comp. Stat., Sec. 4521.

Women may be notaries public.—*Van Dorn vs. Mengedoht*, 41 Neb. 525.

Probation Officer, "two or more persons, one of whom shall be a woman."—Comp. Stat., Sec. 2796 (f.).

Cities of the metropolitan class (*i.e.*, one hundred thousand inhabitants). Board of Police Commissioners may appoint two police matrons.—Comp. Stat., Sec. 906.

There shall be police matrons in cities of forty thousand to one hundred thousand inhabitants.—Comp. Stat., Sec. 1121.

Jurors, "all free white males" are qualified.—Sec. 7236.

State vs. Quible, 125 N. W. 619 (May, 1910). There being no constitutional provision declaring her ineligible and the common law permitting her to hold administrative offices, a woman may be a County Treasurer.

NEVADA

GENERAL STATE SUFFRAGE.—Women have no general suffrage.

The right of suffrage is extended to "every male citizen of the United States" of full age with certain residence qualifications.—Const., Art. II., Sec. 1.

The legislature can add no further qualification to those prescribed in the Constitution for the right of suffrage.—*State vs. Findley*, 20 Nev. 198.

It may, however, prescribe a poll tax.—*State vs. Stone*, 24 Nev. 308.

SPECIAL SUFFRAGE.—Women have no form of special suffrage.

OFFICE-HOLDING.—Women hold only school offices.

"No person is eligible to any office who is not a qualified elector, provided that females, over the age of twenty-one years . . . (with certain residence qualifications) . . . shall be eligible to the offices of Superintendent of Public Schools and School Trustee."—Const., Art. XV., Sec. 3.

The qualification of being an elector is required specifically in the Constitution of legislators (Art. IV., Sec. 5), governor (Art. V., Sec. 3), lieutenant-governor (Art. V., Sec. 17), secretary of state, treasurer, controller, surveyor-general and attorney-general (Art. V., Sec. 19).

A constitutional amendment passed the legis-

lature in 1909 changing Const., Art. XV., Sec. 3, so as to add deputy superintendent of public instruction and notary public to the offices open to women. This has not yet been passed on by the voters.

Laws shall be passed to prevent any person not a qualified elector from serving on a jury.—Const., Art. IV., Sec. 27.

Jurors must be qualified electors.—Compiled Laws, Sec. 3867.

Any citizen of the age of twenty-one years with the necessary qualifications may be admitted as an attorney.—Sec. 2613.

Notaries Public, no qualifications. (But *cf.* proposed amendment above.)—Laws of 1903, p. 114.

NEW HAMPSHIRE

GENERAL STATE SUFFRAGE.—Women have no general suffrage.

Constitution, Bill of Rights, Art. 11.—“All elections ought to be free, and every inhabitant of the state having the proper qualifications has equal right to elect and to be elected into office.”

Constitution, Form of Government, Art. 27.—Every male inhabitant of each town, and parish with town privileges, and places unincorporated, in this state, of twenty-one years and upward,

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excepting paupers and persons excused from paying taxes at their own request, shall have the right, at any meeting, to vote in the town in which he dwells and has his home."

SPECIAL OR LOCAL SUFFRAGE.—Women have school suffrage.

"Any person, whether male or female, but in all other respects except sex qualified to vote in town affairs, may vote at school district meetings in the district in which such person has resided and had a home three months next preceding the meeting."—Public Statutes, ch. 90, Sec. 9.

OFFICE-HOLDING.—Women not excluded by statute from any office, but the decisions hold ineligible in absence of express enactment.

Qualifications for particular offices.—Governor must be "an inhabitant for seven years."—Const., Art. 41.

Senator must be "an inhabitant for seven years."—Art. 28.

Representative "an inhabitant."—Art. 13.

"No person shall be eligible to any school district office unless he is a voter in the district."—Public Stat., ch. 90, Sec. 14.

"Any citizen of the age of twenty-one years, of good moral character and suitable qualifications on application to the Supreme Court shall be admitted to practise as an attorney."—Pub. Stat.,

ch. 313, Sec. 2. *In re Ricker*, 29 Atl. 559 (1890), 66 N. H. 207, holds that an attorney is not such an officer as to exclude women under common law rule. But holds (p. 583) that if a public office, women would be barred unless legislature let them in.

Sheriff, county solicitor, county treasurer, register of deeds, register of probate, county commissioner, clerk of court, must be residents of County.—Pub. Stat., ch. 25, Sec. 2.

Notaries Public, appointed by governor with advice of council.—Ch. 18, Sec. 1. Have powers of Justice of the Peace.—Sec. 2.

(*N.B.*—Decision *in re Ricker* (not yet reported) refusing to put name of woman on official ballot for governor.)

NEW JERSEY

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. II., Sec. 1.—“Every white male citizen of the United States . . . shall be entitled to vote for all officers that now are or hereafter may be elective by the people.” Amendment II., Sec. 1, strikes out “white.”

SPECIAL SUFFRAGE.—Women have a greatly limited school suffrage.

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1. *Municipal suffrage*.—Women expressly excluded. "That every citizen of this state entitled to vote at a general election for members of the legislature shall be entitled to vote at any election of municipal officers held in the city, town or other municipality where such citizen may reside."

—Act of Apr. 8, 1890.

"That every person possessing the qualification required by the constitution shall be entitled to vote in the township in which he actually resides."

—Act of Apr. 18, 1876.

2. *Schools*.—"That every citizen of the United States of the age of twenty-one years who shall have been a resident of the State for one year and of the county in which he or she claims a vote five months next before said meeting, shall have a right to vote in any school meeting in any school district of the state wherein they may reside. . . ."

—Act of Apr. 8, 1887 (Sec. 413 of Schools).

This law is limited and construed in the following cases:

State vs. Deshler, 25 N.J.L. 177 (1855).—"School district trustees are municipal officers and, being elected by the people, those who vote for them must have the qualifications required by Article II. of the Constitution of New Jersey."

Kimbal vs. Hendee, 57 N. J. L. 309.—School trustees are officers within Const., Art. II., Sec. I., making male citizens the only legal electors thereof.

Landis vs. Ashworth, 57 N. J. L. 509.—Women

may vote at school meetings under Act of Apr. 8, 1887, for all purposes except the election of officers.

State vs. Board of Education, 57 N. J. L. 605.—The Act of 1887 is invalid only so far as it gives women the right to vote for school trustees.

Gen. Stat., Sec. 237 (May, 1894)—Election of school trustees. "The voters shall be the legal voters of the district." (Enacted because of the construction of Act of Apr. 8, 1887.)

School trustees elected at the annual school meeting.—Sec. 247.

Powers and duties of legal voters at school meeting are to: 1. elect school trustees; 2. vote by ballot to raise any necessary money.—Sec. 419 (Apr. 1, 1889).

Legal voters at annual or special election must fix amount to be raised before the body having control of school may borrow it.—Sec. 278 (Mar. 19, 1895).

3. *Local option*.—Sec. 127 of "Intoxicating Liquors." Board of Councilmen of incorporated town may pass ordinance prohibiting or regulating sale.

Sec. 134 of same. Upon petition of one fifth of the legal voters of town or city there shall be an election to fix amount of license.

4. *Miscellaneous*.—Act of Mar. 1, 1893, creating road commissioner and allowing his election

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by "freeholders of said district" is unconstitutional as violating Const., Art. II., Sec. 1.

OFFICE-HOLDING.—Women are eligible to practically all offices.

"Provided that no person shall be eligible as a member of either house of the legislature who shall not be entitled to the right of suffrage."—Const., Art. IV., Sec. 2.

Governor must be a citizen of the United States and resident of New Jersey.—Const., Art. V., Sec. 4.

Officers mentioned in Constitution without qualifications: Judges of the various courts (Art. VI., Sec. 1-6); Chancellor (Art. VI., Sec. 4); Justices of the Peace (Art. VI., Sec. 7); State treasurer, keeper and inspector of prisons, attorney-general, clerks of court, surrogates, sheriffs, coroner (Art. VII., Sec. 2).

In General Stat., Sec. 1, sheriffs are required to be citizens and inhabitants.

"The chancellor of the State of New Jersey shall have the power and authority in his discretion to appoint any woman who has been or who shall hereafter be admitted to practise law in the courts of this state, whether she be married or unmarried, a master in chancery of the State of New Jersey, and such appointment shall confer upon the appointee all the privileges, duties and powers which a similar appointment of a man can

confer upon him."—Ch. 133 of Laws of 1896, Sec. 1.

Commission terminates upon marriage, but may reissue under new name.—Sec. 2.

"And no person shall be eligible to the office of trustee unless he or she is above twenty-one years of age, is a resident of the district and can read and write."—Sec. 237 of Schools (May, 1894).

"That no person shall be denied admission to examination for license to practise law as attorney or counsellor in this state, or be refused recommendation to the governor for license to practise law as attorney and counsellor in this state on account of sex."—Sec. 396 of Practice (Mar., 1895).

"That the power of appointment herein given the governor shall not be limited to the appointment of persons of the male sex, but such appointments may be of persons of either sex, and all words in such act or any supplement thereof referring to said notaries public as of the masculine gender shall be understood to include and shall be applied to females as well as males."—Sec. 18 of Promissory Notes (Apr. 4, 1895).

NEW MEXICO

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Organic Act of Congress (1850) Sec. 6.—Every

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free white male inhabitant to vote at first election. Thereafter qualifications to be prescribed by legislative assembly.

Election Law of 1851, Sec. 19.—Voters to be “white, male citizens of the United States.”

Compiled Laws, Sec. 1647. Disqualifies soldier in the United States army and any person prevented by the Organic Law from voting or holding office.

SPECIAL SUFFRAGE.—Women have no special suffrage.

Legal voters who have paid their poll tax are the electors at school elections. (Laws of 1909, ch. 95).

OFFICE-HOLDING.—There is no general express exclusion of women.—*Cf.* Comp. Laws, Sec. 1647, *supra*.

Organic Act, Sec. 5.—Both branches of the legislature to have the same qualifications as voters.

Laws of 1909, ch. 55, Sec. 1.—Governor to appoint notaries public from citizens of either sex.

1909, ch. 99, Sec. 4.—Health officer, physician and resident of county. L. of 1907.—Board of Health and Medical Examiners, same (ch. 34).

1909, ch. 53, Attorneys.—No qualifications as to sex.

1907, ch. 96, Sec. 18.—County Superintendent of Schools, no qualification as to sex.

1905, ch. 116, Sec. 1.—“Every male citizen over twenty-one years” is qualified to serve as juror. Subject to certain disqualifications.

1901, ch. 5.—No person to be a deputy sheriff unless he is a qualified voter of the territory.

1909, ch. 121, Sec. 4.—Territorial Board of Education to consist of governor and certain other state officers and of seven other members appointed by the governor. No sex qualifications.

NEW YORK

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const. II., Sec. 1. “Every male citizen of the age of twenty-one years . . . shall be entitled to vote at such election in the election district of which he shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elective by the people and upon all questions which may be submitted to the vote of the people. . . .”

Right to vote is not a privilege and immunity of a citizen and therefore a female cannot vote.—*People vs. Barber*, 48 Hun. 198.

Election Law, Sec. 162.—“A qualified voter is a male citizen who is or will be on the day of election twenty-one years of age.”

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SPECIAL SUFFRAGE.—Women have limited school and taxpaying suffrage outside of cities.

1. *School.*—Const., Art. X., Sec. 2, provides that all other county officers, except sheriff, district attorney, and register, shall be "elected by the electors . . . or appointed by board of supervisors or other county authorities as the legislature shall direct."

A law authorizing women to vote for school commissioner (Laws of 1892, ch. 214) is unconstitutional on the ground that school commissioner is a county officer within Const. Art. II., Sec. 1, and Art. X., Sec. 2, *i.e.*, elective by the people. *Matter of Gage*, 141 N. Y. 112. *Matter of the Cancellation of Names*, 5 Misc. 375.

Education Law, Sec. 93.—School districts outside of cities. "Any person shall be entitled to vote at any school district meeting for the election of school district officers, and upon all other matters which may be brought before such meetings, who is" 1. a citizen of the United States; 2. twenty-one years of age; 3. a resident within the district for the period of thirty days. "And who in addition thereto possesses one of the following four qualifications:" 1. owns or rents taxable real property; 2. is parent of child of school age; 3. has such child permanently residing with him; 4. owns fifty dollars' worth of assessed personal property.

"No person shall be deemed ineligible to vote

at any such meeting by reason of sex who has one or more of the qualifications required by this section."

School districts are created out of school commissioner districts (Sec. 20) which do not include any city (Sec. 301), therefore women do not have school franchise in cities.

2. *Local option*.—Liquor Tax Law, Sec. 13. Question submitted to qualified electors of town at biennial town meeting if ten per cent. of electors petition for such submission.

3. *Municipal suffrage*.—City elections, same suffrage basis as general elections (*cf.* Second Class Cities, III., Secs. 11, 14, etc.).

The charters of certain Third Class Cities give the taxpaying suffrage, under various limitations, to women (*cf.* Geneva, chap. 297 of the Laws of 1898.)

Town Law, Sec. 55.—"A woman who possesses the qualifications to vote for town officers except the qualification of sex and who is the owner of property in the town assessed upon the last preceding assessment roll thereof, is entitled to vote upon a proposition to raise money by tax or assessment."

Village Law, Sec. 41.—"A woman who possesses the qualifications to vote for village officers except the qualification of sex, who is the owner of property assessed upon the last assessment roll, is entitled to vote upon a proposition to raise money by tax or assessment or for the dissolution of the village."

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This law construed in the following cases:

1. This does not allow women to vote on the proposition to issue bonds.—*People ex rel. Dillon vs. Moir*, 115 N. Y. Sup. 1029, 129 App. Div. 938.

2. A bond issue not invalid because women were allowed to vote on it at village election and the proposition involved the raising of money by tax. Distinguishes *People vs. Moir* as there was in that case no provision to retire bonds by taxation as required by law. (Con. Laws, ch. 24, Sec. 6).—*Ward vs. Kropf*, 120 N. Y. Sup. 476.

3. Women may vote on any legal bonding proposition, *i.e.*, where the proper retirement clause is inserted. Explains away *People vs. Moir*.—*Gould vs. Seneca Falls*, 121 N. Y. Sup. 723.

4. Both husband and wife may vote.—Rep. Atty.-Gen. (1904), 354.

Held that Sec. 41 does not allow women to vote on proposition to incorporate village.—Rep. Atty.-Gen. (1902), 158.

(Quaere if this is law now in view of present Sec. 12.)

Village Law, Sec. 12.—Incorporation. "Every elector qualified to vote at a town meeting who has been a resident of such territory at least thirty days next preceding such election, and who is the owner of property within such territory which was assessed upon the last assessment roll of the town, may vote at such election. A woman who pos-

sesses the qualifications to vote at a town meeting, except the qualification of sex, and who has been a resident of such territory for thirty days next preceding such election and who is the owner of property within such territory which was assessed upon the last assessment roll of the town may vote at such election."

Sec. 336.—"Where a right is granted by this chapter to institute a proceeding, make an application, present a petition or take an appeal, such right may be exercised by an adult resident or woman who owns property assessed upon the last preceding assessment roll of the village."

Women not authorized by this section to sign petition requesting submission of proposition to electors (Vil. Law, Sec. 59).—Rep. Atty.-Gen. (1901), 198.

OFFICE-HOLDING.—Women can hold any office in the state with a few minor exceptions.

Public Officers, Law II., Sec. 3.—"No person shall be capable of holding a civil office who shall not at the time he shall be chosen thereto be of full age, a citizen of the United States, a resident of the state, and if it be a local office, a resident of the political sub-division or municipal corporation of the state for which he shall be chosen, or within which his official functions are required to be exercised."

Const., Art. IV., Sec. 2.—Governor and lieuten-

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ant-governor must be citizens of the United States.

Education Law, Sec. 141.—“Every district officer must be a resident of his district and qualified to vote at the meetings.”

Sec. 302.—School commissioner. “No person shall be deemed ineligible to such office by reason of sex who has the other qualifications as herein provided.” (But cf. *Matter of Gage*, *supra*.)

Executive Law, Sec. 101.—Notaries Public. No qualification.

Held that it is no ground to return papers in a proceeding that woman acted as notary. Cannot test her eligibility in a collateral proceeding. Open question whether women can hold office in New York.—*Findley vs. Thorn*, 1 How. Pr. 76.

Gen. City Law, Secs. 90-97.—Police matrons in cities of twenty-five thousand or more inhabitants. (Prison matrons, Prison Law, Sec. 92.)

Judiciary Law, Sec. 460.—Attorney must be “a citizen of the state.”

Sec. 502.—Jurors must be “a male citizen of the United States.”

State Charities Law, Sec. 3.—State Board of Charities, no qualification.

Sec. 81.—Three women on board of State Custodial Asylum for Feeble-minded Women.

Sec. 221.—House of Refuge. Two of the six managers to be women.

Sec. 51.—“In the discretion of the governor

persons of either sex may be appointed as managers of such institutions." (Appointment and Removal of Managers of State Charitable Institutions.)

Town Law, Sec. 81.—"Every elector of a town shall be eligible to any town office."

Village Law, Sec. 45.—"A resident woman who is a citizen of the United States of the age of twenty-one years is eligible to the office of village clerk or deputy clerk. . . . Any resident elector is eligible to any other village office."

Inferior Courts Bill, Art. VI., Sec. 96.—Women assistant probation officers required.

Election Law, Sec. 352, as amended 1910, allows women who are citizens to act as watchers and challengers in elections in cities of one million or more population. (Repealed 1911, by the So-called Levey's Election Law.)

NORTH CAROLINA

GENERAL STATE SUFFRAGE.—Constitution, Art. VI., Sec. 1.—"Every male person born in the United States and every male person who has been naturalized . . . twenty-one years of age, possessing the qualifications set out in this article shall be entitled to vote at an election by the

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people in the State except as hereinafter provided.”
Qualifications of residence and registration.

Election Revisal of 1905, Sec. 4315.—Who may not register or vote. 1. Minors; 2. idiots and lunatics; 3. convicts.

Revisal of 1905, Sec. 4316.—“Subject to the exceptions contained in the preceding section every male person who has been naturalized, twenty-one years of age, who shall have resided . . . shall . . . be a qualified elector.”

Revisal of 1905, Sec. 4318.—Grandfather clause.

SPECIAL OR LOCAL SUFFRAGE.—Women have no form of special suffrage except as freeholders.

1. *Town taxpaying.*—County and town government and officers.—Const., Art. VII.

Debt or loan by town not to be incurred “unless by a vote of the majority of the qualified voters therein.”—Sec. 7.

2. *Local option.*—On petition of one third registered voters of city or town there shall be an election.—Revisal, Sec. 2069.

Conducted as other municipal elections.—Revisal, Sec. 2670.

3. *School.*—“In any township, upon petition of one-fourth of the freeholders of the township . . . the board of County Commissioners . . . shall hold an election . . .” for special tax for high school, election to be held “under law governing general elections as nearly as may be,”

"qualified voters" to be electors thereat.—Sec. 4113.

Substantially same for special school fund in cities and towns where there is no regular tax. "One-fourth of the freeholders" petition for election.—Sec. 4114.

Same in special school districts. "One-fourth of the freeholders" petition for election.—Sec. 4115.

OFFICE-HOLDING.—Women hold no offices.

"Every voter in North Carolina except as in this Article disqualified shall be eligible to office" (oath required).—Const., Art. VI., Sec. 7.

Disqualifications. Atheists and convicts.—Sec. 8.

Special qualifications:—

Senator must be citizen and inhabitant.—Const., Art. II., Sec. 7.

Representative. Elector and resident of county.—Sec. 8.

Governor must be citizen and resident. Lieutenant-Governor must be citizen and resident.—Art. III., Sec. 2.

Judges, solicitor, sheriff and coroner. No qualifications.—Art. III.

State Board of Education. Composed of governor, lieutenant-governor, secretary of State, treasurer, auditor, superintendent of public in-

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struction and attorney-general.—Const., Art. IX., Secs. 8, 9, 10, Revisal 4030.

County Board of Education. Appointed by general assembly to be "three men in each county of good business qualifications."—Revisal, Sec. 4119.

County Superintendent. Elected by County Board of Education. No qualifications.—Sec. 4135.

School Committee, "three intelligent men of good business qualifications," chosen by Board of Education.—Sec. 4145.

Superintendent of insane hospitals may appoint matrons "if he shall think proper to do so." No provision as to member of board or physician being women.—Revisal, Sec. 4565.

Attorneys.—No qualifications except that applicant must be twenty-one years old and of good moral character.—Revisal, Sec. 207.

Jurors.—Jury list made from tax returns to be composed of such persons "as have paid all the taxes against them for the preceding year and are of good moral character and of sufficient intelligence."—Revisal, ch. 45, Sec. 1957.

Notaries.—Governor appoints "one or more fit persons."—Ch. 55, Sec. 2347. (Held to be an office and therefore women are not allowed to serve.)

Charities.—Board of Public Charities. Five electors chosen by general assembly.—Ch. 85, Sec. 3913.

Jamesville R. R. vs. Fisher, 13 L. R. A. 721 (N. C.).—Minor may be deputy sheriff, *i.e.*, not an officer (Const., Art. VI., Secs. 4, 5), and therefore others than an elector eligible.

NORTH DAKOTA

GENERAL STATE SUFFRAGE.—Women have no state suffrage but may acquire it without a constitutional amendment.

Constitution, Art. V., Sec. 121. "Every male person of the age of twenty-one years and upwards . . . (belonging to following classes and with certain age requirements) . . . shall be deemed a qualified elector at such (any) election:" a. citizen of the United States; b. holders of first papers (struck out by Amendment II.); c. civilized Indians.

Sec. 122.—"The legislative assembly shall be empowered to make further extensions of suffrage hereafter, at its discretion, to all citizens of mature age and sound mind, not convicted of crime, without regard to sex, but no law extending or restricting the right of suffrage shall be in force until adopted by a majority of the electors of the State voting at a general election."

(*N.B.*—An amendment must pass two legislatures and be passed by majority of electors qualified to vote for Legislature.)

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Political Code, Sec. 605.—“Every male person . . . (resident) . . . shall be a qualified elector” if—a. citizen of the United States; b. civilized Indian.

SPECIAL OR LOCAL SUFFRAGE.—Women have school suffrage, but not for all school offices.

1. *County and municipal.* Women expressly excluded.

Legislature is to organize counties and towns when majority of legal voters wish it.—Const., Art. X.

City electors are every legal voter resident in city.—Sec. 2744.

2. *School.*—“At any election of school officers in any school corporation in this state, all persons who are qualified electors under the general laws of the state and all women twenty-one years of age having the necessary qualifications as to citizenship and residence required of male voters by law, shall be qualified voters and shall be eligible to the office of county superintendent of schools, school director or member of board of education or school treasurer, or may be judge or clerk of such election.”—Political Code, Sec. 799.

Officers to be elected are school directors.—Sec. 797.

(*N.B.*—Superintendent of Public Instruction elected at general election by qualified voters

(Const., Sec. 150 and Pol. Code, Sec. 747), and women do not vote for him.)

County Superintendent of schools elected at same time as other county officers.—Political Code, Sec. 764—*i.e.*, not election in "school corporation" and women do not vote for him.

OFFICE-HOLDING.—Women hold only school offices and appointive offices.

"Every elector is eligible to the office for which he is an elector, except when otherwise specially provided; and no person is eligible who is not such an elector."—Political Code, Sec. 317. (Does this affect eligibility of women to County Superintendent and Superintendent of Public Instruction because elected at a general election where women cannot vote? Question not passed on but probably not, in view of the following.)

"Any woman having the qualifications enumerated in Sec. 121 of this Article as to age, residence and citizenship, and including those now qualified by the laws of the territory, may vote for all school officers and upon all questions pertaining solely to school matters, and be eligible to any school office."—Const., Sec. 128.

"At any election of school officers in any school corporation in this state, all persons who are qualified electors under the general laws of the state, and all women twenty-one years of age having the necessary qualifications as to citizen-

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ship and residence required of male voters by law, shall be qualified voters and shall be eligible to the office of county superintendent of schools, school director or member of board of education or school treasurer, or may be judge or clerk of such election."—Political Code, Sec. 799.

Qualifications for particular offices.—Jurors. "All male citizens . . . having the qualifications of electors, and of sound mind and discretion. . . ." —Pol. Code, Sec. 514.

Attorneys.—Power to admit to the bar is vested in Supreme Court.—Pol. Code, Sec. 495. Qualifications (no mention of sex). Must be a resident of good moral character.—Sec. 496.

School for Deaf and Dumb.—No qualification fixed for trustee and no requirements as to woman physician, etc.—Pol. Code, Sec. 133.

Blind Asylum.—Sec. 152. Institution for Feeble Minded—Sec. 1150. Industrial School—Sec. 1172. Insane Asylum—Sec. 1181. No qualifications.

Notary Public.—Governor appoints "from among the citizens of either sex."—Sec. 535.

Senators must be qualified electors and residents.—Const., Art. II., Sec. 28.

Representatives must be qualified electors and residents.—Sec. 34.

Governor and Lieutenant-Governor must be electors and residents.—Art. II., Sec. 73.

Judges of the Supreme Court.—Lawyer, citizen, and resident.—Art. IV., Sec. 94.

Judges of the district court.—Lawyer, resident, and elector.—Sec. 107.

County Judge.—Same as district, *i.e.*, elector.—Sec. 111.

Justice of the peace and police magistrate. No qualification.

OHIO

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Constitution, Art. V., Sec. 1.—“Every white male citizen of the United States of the age of twenty-one years . . . shall have the qualifications of an elector and be entitled to vote at all elections.” Bates’s *Annotated Statutes*, 1908, Sec. 2926j. “Every male person who is a citizen of the United States and a lawful resident of this state, and of any city wherein registration is required . . . shall . . . be registered.”

Sec. 2919-1. Primary elections, “qualified electors” only may vote.

SPECIAL SUFFRAGE.—Women have a limited school suffrage.

1. *Schools*.—An. Stat., Sec. 3970-12. “Every woman born in the United States or who is a wife

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or daughter of a citizen of the United States, who is over twenty-one years of age and possesses the necessary qualification in regard to residence as is provided for men shall be entitled to vote and be voted for for member of the Board of Education and upon no other question, [*i.e.*, not for State Superintendent or on bond issues]. The law relative to registration shall apply to women upon whom the right to vote is conferred, but the names of such women may be placed upon a separate list." (91 v. 182, 97 v. 354.)

(*N.B.*—As enacted in 91 v. 182 this was held to be constitutional.—*State vs. Board of Education*, 9 C. C. 134; 2 O. D. 94, construing Const., Art. V., Sec. 1.)

"The constitutional power of the legislature to provide for Common Schools is not limited by the definition of elector in Constitution, Art. V., Sec. 1, and the right to vote for school officers may be conferred on women." Also the right to be voted for.—*State vs. Board of Education, supra*.

To the same effect.—*State ex rel vs. Cincinnati*, 19 Ohio 178.

2. *Municipal suffrage*.—Women have none.

An. Stat., Sec. 1536-984.—A person qualified as a county elector residing in a municipality is a qualified municipal elector.

3. *Local option*.—An. Stat., Sec. 4364-24. "When one fourth of the qualified electors in any township, residing outside of any municipal

incorporation, shall petition trustees . . ." there shall be a special election "conducted in all respects as provided by law for the election of township trustees."

Sec. 4364-30a.—"Majority of qualified electors of residence district of any municipal corporation . . ." may file a petition with the mayor and have a public hearing on the question.

Sec. 4364-30g.—"The term 'qualified elector' as used in this act means registered male voters in all municipal corporations which have registration and all other male voters entitled to register. . . . In municipalities which do not have registration such male voter or male qualified elector must be a bona fide resident. . . ."

OFFICE-HOLDING.—Constitution, Art. XV., Sec. 4. "No person shall be elected or appointed to any office in this state unless he possesses the qualifications of an elector."

The act of 86, v. 221 creating a board of work-house directors composed of females for the female department creates an office and this can only be held by electors, construing Const., Art. XV., Sec. 4.—*State ex rel Rupp vs. Rust*, 4 C. C. 329.

An. Stat., Sec. 110.—Notaries public appointed by governor on certificate of certain judges, from among the citizens of the state.

A woman cannot act as notary public.—*State ex rel vs. Adams*, 58 O. S. 612, construing Const.,

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Art. XV., Sec. 4 and Const., Art. V., Sec. 1. Compare also *State vs. McKinley*, 25 Bull 32, 57 O. S. 628.

Sec. 565.—“No person shall be excluded from acting as an attorney-at-law and practising in all the courts of this state on account of sex.” (75 v. 563, Sec. 1.)

Sec. 1536, Sub-sec. 934.—“The custody, control and administration together with the erection and equipment of free public libraries established by municipal corporations shall be vested in six trustees, not more than three of whom shall belong to one political party and not more than three of whom shall be women. . . . Every woman born or naturalized in the United States of the age of twenty-one years and upward, who shall have been a resident of the state for at least one year, and of the city or village in which any such library may be established for a period of thirty days, shall be qualified to be appointed and serve as such trustee.” (96 v. 91, Sec. 218; 97 v. 35.)

(*N.B.*—Has this section 1536 been passed on in any court? Quaere if constitutional under construction given Const., Art. XV., Sec. 4.) Compare also with the following:

“This section, Const., Art. XV., Sec. 4, does not apply to the office of deputy clerk of the Probate Court and therefore a female is eligible to that office and may lawfully discharge its duties.” —*Warwick vs. State*, 25 O. S. 21.

An. Stat., Sec. 3921a.—School directors must be qualified electors.

Laws of 1908, p. 32.—Child Labor Law. Eight female visitors appointed by the chief factory inspector.

Laws of 1908, p. 349.—Establishes visiting committee of women for state benevolent correctional and penal institutions.

An. Stat., Sec. 640a (89 v. 347). There shall be female physicians in insane asylums. There shall be matrons in police stations of cities of more than ten thousand inhabitants (Sec. 1536-685); penitentiaries (Sec. 7388-4), and jails (Sec. 7388a).

OKLAHOMA

GENERAL STATE SUFFRAGE.—Women have no general suffrage.

"The qualified electors of the State shall be male citizens of the United States, male citizens of the State, and male persons of Indian descent native of the United States who are over twenty-one years. . . ."—Const., Art. III., Sec. 1.

Compiled Laws of 1908, Sec. 3193.—Elections, follows constitution in terms.

SPECIAL OR LOCAL SUFFRAGE.—Women have school suffrage but not on questions of bond issue,

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etc., even for school purposes, and do not vote for school officers above district officer.

1. *School*.—"Until otherwise provided by law, all female citizens of this State, possessing like qualifications of male electors, shall be qualified to vote at school district elections or meetings."—Const., Art. III., Sec. 3.

Election for school bonds in cities of the first class to be by "qualified electors in district."—Compiled Laws, Sec. 8030-31.

District meetings. Who may vote. "All female persons over the age of twenty-one years who are citizens of the United States or shall have declared their intentions to become such, and who shall be residents of the District at the time of offering to vote."—Compiled Laws, Sec. 8054.

A petition for high school may be filed by one third electors.—Compiled Laws, Sec. 8134.

Election on high school question to be held as elections for county officers, that is, women may not vote for it.—Compiled Laws, Sec. 8136.

County Superintendents of Public Instruction are elected with other county officers, *i.e.*, women do not vote for them.—Compiled Laws, Sec. 7965.

"Any female who is entitled to vote for members of the school board may be registered for such purpose by the regular registration officer of her precinct during the period when his books are open for general registrations. Females who so registered shall be listed by the registration officer

in a list or book separate from the general registration list."—Compiled Laws, Sec. 1016.

2. *Municipal suffrage*.—Women have none.

A board of freeholders who shall be qualified electors and elected by qualified electors to frame charter of city. Charter adopted by vote of qualified electors.—Const., Art. XVIII., Sec. 3.

Municipal Elections. General law governs, (Sec. 1002a).

Question of issue of bonds, granting franchise, etc., submitted to "qualified electors of municipality."—Compiled Laws, Sec. 1018.

"All electors entitled to vote at any general city or town election and who are qualified to vote according to the provision of the Constitution or law applicable to the question shall be entitled to vote at such election."—Sec. 1020.

Bonds for school purposes come under this section.—Sec. 1021.

OFFICE-HOLDING.—Women may hold any office from which they are not specially excluded.

Qualifications for particular offices.—Legislators must be "qualified electors."—Const., Art. V., Sec. 17.

Governor, Lieutenant-Governor, Secretary of State, State Auditor, Attorney-General, State Treasurer, Superintendent of Public Instruction, State Examiner and Inspector must be "male citizens of United States."—Const., Art. VI., Sec. 3.

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No qualification in the Constitution for Commissioner of Labor, Insurance Commissioner, Chief Mine Inspector, Board of Agriculture.

Commissioner of Charities and Corrections. "Said officer may be of either sex."—Const., Art. VI., Sec. 27.

Judge of Supreme Court.—Citizen, resident, and attorney.—Const., Art. VII., Sec. 3.

Board of Education.—Composed of Governor, Superintendent of Public Instruction, etc.—Const., Art. XIII.

Attorneys.—No sex qualifications.—Compiled Laws, Sec. 252.

Notaries Public.—No qualifications, governor appoints.—Sec. 474I.

Jurors.—"All male citizens having the qualifications of electors."—Compiled Laws, Sec. 399I.

OREGON

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. II., Sec. 2.—"In all elections not otherwise provided for by this constitution every white male citizen of the United States . . . (and every white male foreigner with first naturalization papers) . . . shall be entitled to vote."

The word "white" rendered void by Fifteenth Amendment to United States Constitution.—*Wood vs. Fitzgerald*, 3 Or. 579.

SPECIAL SUFFRAGE.—Women have school suffrage.

1. *School.*—Laws of 1898, p. 22. In all school districts, any citizen of the state, male or female, married or unmarried, shall be entitled to vote at any school election or school meeting, who is twenty-one years of age and has property of the value of at least one hundred dollars upon which he or she is required to pay a tax, provided in districts of less than one thousand inhabitants, widows and male citizens over twenty-one who have children in the district of school age shall be entitled to vote for the election of school directors or school clerk.

Const., Art. II., Sec. 2, held not to apply to school elections and statutes permitting women to vote at such elections are not unconstitutional.—*Harris vs. Burr*, 32 Or. 348.

2. *Municipal suffrage.*—Women have none.

Article XI., Sec. 2, of the Constitution, which authorizes the formation of municipal corporations by special laws and Art. VI., Sec. 7, authorizing the election of city officers "in such manner as may be prescribed by law," do not empower the legislature to prescribe the qualifications of voters at municipal elections, as "manner" has not such a broad meaning. The qualifications are determined by Const., Art. II., Sec. 2.—*Livesley vs. Litchfield*, 47 Or. 248.

OFFICE-HOLDING.—Women are expressly excluded

from county offices but are eligible to practically all others.

Const., Art. IV., Sec. 8.—Senators and representatives must be citizens and inhabitants of district.

Const., Art. V., Sec. 2.—Governor, citizen and resident.

Const., Art. VI.—Secretary of State and Treasurer, no qualifications.

Const., Art. VI., Sec. 8.—“No person shall be elected or appointed to a county office who shall not be an elector of the county.”

Const., Art. VII., Sec. 2.—Judges shall be citizens and residents.

Const., Art. VII., Sec. 18.—“The legislature shall provide that the most competent of the permanent citizens of the county shall be chosen as jurors.”

Const., Art. X., Sec. 1.—“The militia of this state shall consist of all able-bodied male citizens.”

Gen. Laws, Sec. 4322.—Women over the age of twenty-one who are citizens of the state and of the United States shall be eligible to all educational offices within the state.

This was held unconstitutional as applying to the office of county superintendent of schools in *State vs. Stevens*, 29 Or. 464, as the constitution prescribes that no person shall hold county office except electors.

A peremptory writ of mandamus will issue to

a woman elected school superintendent to compel her predecessor to turn over the records of the office and her eligibility will not be inquired into in such a proceeding, nor will the constitutionality of the statute authorizing women to hold such an office.—*Stevens vs. Carpenter*, 27 Or. 553.

Gen. Laws, Sec. 1054.—“Hereafter women shall be admitted to practise law as attorneys, in the courts of this state, upon the same terms as men.”

Prior to this (1891) the courts had not power to admit women as attorneys.—*In re Leonard*, 12 Or. 93.

PENNSYLVANIA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. VIII., Sec. 1.—“Every male citizen of twenty-one years of age possessing the following qualifications shall be entitled to vote at all elections” (residence, length of citizenship and county tax).

Purdon's *Digest of Statutes*, Elections, Sec. 11.—Duty of registration assessor to enter on qualified entry list names of “all male citizens twenty-one years, etc.,” as in Constitution.

Repeated in Sec. 91 of Elections.

A female is not a qualified elector in this state.

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Construing the word "Freeman" in Const., Art. I., Sec. 1, of that date (1871).—*Burnham vs. Luning*, 9 Phila. 241, 20 P. L. J. 35.

SPECIAL SUFFRAGE.—Women have no special suffrage; there is practically none in the state.

Pur., *Dig.*, Boroughs, Sec. 146.—"The inhabitants of every borough . . . entitled to vote for members of the General Assembly are to elect the burgess and town council, etc."

Common Schools, Sec. 64.—Directors are to be elected by the general electors.

Common Schools, Sec. 35.—School taxes fixed by the school directors or controllers of the district.

OFFICE-HOLDING.—Women hold no practical offices except school offices, though they are not excluded by Constitution or statute.

Const., Art. II., Sec. 5.—Senators and representatives, citizens and inhabitants.

Const., Art. IV., Sec. 5.—Governor and lieutenant-governor, citizens and inhabitants.

Const., Art. IV., Sec. 7.—Secretary of the Commonwealth, Attorney-General, Superintendent of Public Instruction, no qualifications.

Const., Art. V.—Judges, no qualifications.

Const., Art. X., Sec. 3.—"Women twenty-one years of age and upwards shall be eligible to any office of control or management under the school laws of this state."

Const., Art. X., Sec. 3, applies to positions of control and management only (as state superintendent) and therefore a Board of Education can determine that only male teachers shall be principals of certain schools.—*Com. vs. Board of Pub. Education*, 187 Pa. 70.

Even if a woman is eligible to the office of supervising principal as an office of control and management, she need not be elected because she is a candidate.—*Com. vs. Jenks*, 154 Pa. 368. *Sherry vs. Sheppard*, 12 Pa. C. C. 168.

Const., Art. XIV., Sec. 2.—County officers are to be elected.

Sec. 3.—No person is to be appointed in a county unless he is a citizen and inhabitant.

Pur., *Dig.*, Attorneys, Art. I., Sec. 2.—“A competent number of persons of an honest disposition.” Women may be admitted under this. *Kilgore's Application*, 14 W. N. C. 466, s. c. W. N. C. 475, 14; *Richardson's case*, 3 D. P. 299; *Kast's case*, 14. Pa. C. C. 432. Married women also eligible, *Kilgore's case*, 2 Del. Co. Rep. 105.

Pur., *Dig.*, Charities, Sec. 1.—Board appointed by Governor, no qualifications.

Infants, Sec. 70.—Court of Common Pleas appoints a board of visitation of “six or more reputable citizens” to inspect all custodial institutions.

Juries, Sec. 2.—Qualified electors only are eligible.

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Libraries, Sec. 1.—Governor appoints five persons who shall constitute free library commission.

Sec. 5.—City Councils appoint local library board or commission. No qualification.

Lunatic Asylums, Sec. 162.—Trustees may appoint a skilful woman physician where there are male and female patients.

Sec. 21.—Women may be appointed members of the Board of Visitors, appointed by the State Board of Charities (Sec. 30).

Municipal Corporation, First Class.

Sec. 25.—Qualification of councilman same as member of House of Representatives.

Sec. 74.—Mayor, a resident.

Sec. 698.—“No person shall be eligible as controller of the public schools in the first district of the Commonwealth unless he have the qualifications to serve as a member of the state senate.”

Notaries Public, Sec. 6.—“From and after the passage of this act, women being twenty-one years of age and citizens of this commonwealth shall be eligible to the office of notary public.” (1893.)

Police Matrons, Sec. 102.—In all cities of the first and second class, police matrons are required to be appointed.

RHODE ISLAND

GENERAL STATE SUFFRAGE.—Women have no general suffrage.

Art. II. of Constitution, Sec. 1.—“Every male citizen of the United States . . . (residing and owning real estate in a town) . . . shall thereafter have a right to vote in the election of all civil officers and upon all questions in all legal town or ward meetings so long as he continues so qualified. . . .” One owning land outside town votes at election for general officers and members of assembly if he lives in town.

(*N.B.*—All officers are elected at the town and ward elections.)

Sec. 2 gives taxpaying as alternative to land owning as qualification.

Amendment VII., 1888, to Art. II., Sec. 2. “Every male citizen of the United States . . . (age, residence and registration) . . .” *i.e.*, abolishes taxpaying basis which was the alternative of Sec. 1 (land owning) and contained in Sec. 2 of Art. II., except that to vote for town council or on money question still requires taxpaying qualification.

Ch. 6, Voters, Sec. 1.—“The following two classes of male citizens of the United States . . .” are voters: (1) registered voters—two years’ residence; (2) unregistered, land-owning—one year’s residence.

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Secs. 2-3—Unregistered landowners outside of town (one year's residence) can vote for general officers, etc.

(*N.B.*—Husband's right to possession and to curtesy appear to be "estates" under the law entitling him to vote.)

OFFICE-HOLDING.—Women hold no elective or constitutional office except school committee but are eligible to a number of minor administrative ones.

"No person shall be eligible to any civil office (except the office of school committee) unless he be a qualified elector for such office."—Const., Art. IX., Sec. 1.

Qualifications for Particular Officers.—Police Matrons. "In every city in this state" there shall be police matrons to be recommended by twenty women in good standing.—Gen. Laws, ch. 361, Secs. 1-2.

Notary Public, appointed by governor. No qualification except that contained in Const., Art. IX., ch. 24.

Town Officers, no qualifications.—Ch. 49.

Board of Education for State, no qualification except that one member is to be from each town, elected by general assembly.—Ch. 63.

Commissioner of Public Schools, elected by general assembly.—Ch. 64.

School Committee, "three residents of the town."—Ch. 66, Sec. 4.

(*N.B.*—Women have served; Pawtucket charter requires one to be a woman.)

Governor appoints “. . . One chief and two assistant factory inspectors, one of whom shall be a woman.”—Ch. 78, Sec. 3.

State Home and School for Children. “The said board shall consist of seven persons, four of whom shall be men and three women.”—Ch. 102, Sec. 2.

Institution of the Deaf, nine members of Board, six men and three women.—Ch. 101, Sec. 1.

(*N.B.*—No other State Institution, not penal, requires women on its boards.)

Jurors.—“All persons over twenty-one years of age who are qualified to vote in the election of the city council . . . or upon any proposition to impose a tax . . . shall be liable to serve as jurors.”—Ch. 279, Sec. 1.

Probation Officer.—Probation officer shall appoint assistants “of whom one at least shall be a woman.”—Ch. 351, Sec. 5.

Board of Female Visitors to all penal institutions where women are confined. Inspect institutions.—Ch. 361.

SOUTH CAROLINA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Constitution, Art. I., Sec. 10.—“Every inhabitant of this State possessing the qualifica-

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tions provided for in this Constitution shall have equal right to elect officers and be elected to fill public offices."

Sec. 11.—There shall be no property qualification for any election or to hold office unless prescribed in this Constitution. Voters are "every male citizen of this state and of the United States . . ." of age, not under disabilities, and qualified as to . . .—(a) residence; (b) registration; (c and d) educational; (e) tax. Art. II., Secs. 3-4.

Sec. 6.—Disqualified for suffrage: (1) certain classes of convicts; (2) idiots and paupers.

Elections.—"Every male citizen . . . (qualifications of electors as in constitution) . . ."—Civil Code, Sec. 174.

SPECIAL OR LOCAL SUFFRAGE.—Women have no form of suffrage, except certain rights as freeholders.

1. *Local option.*—General Assembly may prohibit and regulate liquor selling.—Constitution, Art. VII., Sec. 11.

Election to determine re-opening of dispensaries. "Any person who is a qualified elector may vote at such elections."—(1909.) Sec. 15, No. 47.

2. *School.* School tax. Voters are authorized to levy such tax upon written petition of one third resident electors "and a like proportion of resident freeholders of the age of twenty-one years . . ."—Civ. Code, Sec. 1208.

3. *Tax and bond issue.*—"In authorizing a special election in any incorporated city or town in this State for the purpose of bonding the same, the general assembly shall prescribe as a condition precedent to the holding of said election a petition from the majority of the freeholders of said city or town as shown by its tax books, and at such elections all electors of such city or town who are duly qualified for voting under Sec. 12 of this Article and who have paid all taxes, state, county and municipal, for the previous year shall be allowed to vote . . ."—Const., Art. II., Sec. 13.

Wilson vs. Florence, 20 L. R. A. 720, 39 S. C. 392, holds this section of charter constitutional, at least allows corporations to vote under it.

The General Assembly has power to permit adult females who own one hundred dollars' worth of taxable property within the corporate limits of a town to vote at any election to decide whether bonds of the town be issued to procure railroad extensions. *Woodley vs. Town of Clio*, 44 S. C. 374, 22 S. E. 410 (1895) construing a Special Act—21 St. at L., Secs. 1068–1069.

Municipal Elections follow constitution.—Civ. Code, Sec. 197.

OFFICE-HOLDING.—Women hold no office except that of librarian and clerical positions.

"No person shall be elected or appointed to any office in this State unless he possesses the quali-

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fications of an elector: provided the provisions of this section shall not apply to the offices of State Librarian and Departmental Clerk, to either of which offices any woman, a resident of the State two years, who has attained the age of twenty-one years shall be eligible."—Const., Art. XVII., Sec. 1.

"Every qualified elector shall be eligible to any office to be voted for."—Const., Art. II., Sec. 2. Const., Art. I., Sec. 10 and 11. See *supra*.

Qualifications for particular offices.—State Superintendent of Education, no qualifications.—Const., Art. XI., Sec. 1.

State Board of Education, no qualifications.—Sec. 2.

General Assembly to make provision for other school officers.—Sec. 3.

Notaries Public, appointed by governor, no qualifications. — Civil Code, ch. XIX., Sec. 662.

No qualifications for State Librarian (Sec. 725), State Geologist (Sec. 7354), State Entomologist (Sec. 741).

County officers, no qualifications.—Civ. Code, ch. XV.

School trustees appointed by County Board of Education from "the qualified electors and taxpayers."—Ch. XXIV., Sec. 1210.

(*N.B.*—State Board appoints County Board, *i.e.*, there is no election of school officers by the people all along the line, except that special school

districts of twenty-five thousand and more inhabitants may elect such officers.—Sec. 1210.)

Attorneys.—“Any citizen of this State.” “Any person of good moral character who has been admitted in any of the United States.”—Civ. Code, Sec. 2813.

Senators and representatives must be electors of county.—Const., Art. III., Sec. 7.

Governor must be citizen and resident.—Art. IV., Sec. 3. Lieutenant-Governor same.—Art. IV., Sec. 4.

Judges, citizens and attorneys.—Art. V., Sec. 10.

Jurors must be qualified electors.—Sec. 22.

Clerk of Court, Attorney-General, Solicitor, Sheriff, Coroner, no qualifications.

SOUTH DAKOTA

GENERAL STATE SUFFRAGE.—Women have no state suffrage, the amendment provided for by the Constitution having been lost in 1890.

Const., Art. VII., Sec. 1.—“Every male person resident of this State . . . if (1) a citizen of United States; (2) holder of first papers . . . shall be deemed a qualified elector.”

Sec. 2.—Women suffrage amendment to be submitted (lost November, 1890).

Elections.—“Every male person resident of this state . . . shall be entitled to vote at any election

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in this state, and all persons possessing the qualifications mentioned in this section shall be eligible to any office except as is otherwise provided for in the Constitution or by law."—Political Code, ch. 19, Sec. 1866.

SPECIAL OR LOCAL SUFFRAGE.—Women have fairly complete school suffrage.

1. *Schools.*—"Any woman having the qualifications enumerated in Sec. 1 of this Article, as to age, residence and citizenship, including those qualified by the laws of the territory, may vote at any election held solely for school purposes and may hold any office in this State, except as otherwise provided in this Constitution."—Const., Art. VII., Sec. 9.

Board of Education and treasurer of school district elected.

(*N.B.*—County Superintendent and State Superintendent of Schools elected at general election.—Laws of 1907, ch. 135, as amended by Laws of 1909, ch. 45, Sec. 180. Therefore women do not vote for them.)

The law governing school taxes is as follows:

Chapter 21, of Public Securities (mainly from chapter 135, Laws of 1907):

(a) School districts created by special act, etc.

Sec. 194.—Bonds for school purposes issued when approved at elections by "majority of qualified electors."

Sec. 195.—Election conducted as election for city or town officers.

(b) School bonds issue in ordinary school district.

Sec. 151.—Bonds for school improvements in school district issued when approved by "qualified electors" at election held after petition of one third of the voters, at regular or special meeting.

(c) Cities of the first class—bond issue.

Sec. 164.—"All persons male or female who are qualified electors under the laws of the State shall be competent to vote at such elections" (submitted to city election by Board of Education).

2. *Municipal suffrage*.—Pol. Code, Sec. 1410.—Town incorporated under this act (ch. 14) by petition of fifty legal voters and election of "legal voters."

Towns. Incorporation by County Commissioners with assent of "qualified voters" at special election.—Pol. Code, ch. 15, Sec. 1417-25.

OFFICE-HOLDING.—Women may hold any office from which they are not expressly excluded.—*Cf.* Const., Art. VII., Sec. 9, *supra*.

Qualifications for Particular Offices.—Senator and representative must be qualified electors, citizens, and residents.—Const., Art. III., Sec. 3.

Governor and lieutenant-governor must be qualified electors and residents.—Const., Art. IV., Sec. 2.

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No qualification for secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of school and public lands, attorney-general.—Sec. 12.

Judge must be citizen and attorney.—Art. V., Sec. 10.

States Attorney must be resident and lawyer.—Sec. 25.

Mayor appoints "three competent citizens" as trustees of libraries.—Pol. Code, Sec. 1401.

Attorney.—"No person shall be refused a license under this Article on account of sex."—Pol. Code, Sec. 685.

Insane Hospital.—Matron required to be appointed.—Pol. Code, Sec. 523.

School for Deaf Mutes.—Matron required to be appointed.—Pol. Code, Sec. 566.

State Board of Charity and Correction.—Five persons appointed by governor.—Pol. Code, Sec. 171.

Governor appoints "from among eligible citizens," notary public.—Pol. Code, Sec. 5733.

"All county, township and district officers shall be electors in the county, township, or district in which they are elected, provided that nothing in this section shall prevent the holding of school offices by any person as provided in Sec. 9, Art. VII."—Const., Art. IX., Sec. 7.

There shall be appointed by governor "three women who shall constitute a committee for

insane hospital, deaf mute school and penitentiary and reform school," to report on sanitary condition and treatment.—Pol. Code, Sec. 307.

(*N.B.*—These are not exclusively feminine institutions.)

TENNESSEE

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

"Every male person of the age of twenty-one years, being a citizen of the United States . . . shall be entitled to vote for members of the general assembly and other civil officers for the county or district in which he resides. . . ." Poll tax required and no other qualification to be attached to right of suffrage.—Const. of 1870, Art. IV., Sec. 1.

(*N.B.*—"The provision that words importing the masculine gender include the feminine will not be given such a broad construction as to hold the office of Notary Public, or any other office, or to vote."—*State ex rel. vs. Davidson*, 8 Pickle 535, 536.)

"Every male person"—follows constitution in terms.—Code of 1896, Sec. 1167.

SPECIAL OR LOCAL SUFFRAGE.—There exists practically no limited suffrage in the State.

Const. of 1870 contains no provision on educa-

tion (except general encouragement of learning and school fund).

(*N.B.*—There are no school elections—the district director is elected at regular August election, held by Sheriff, under regular election laws.—Code of 1896, Sec. 1419.)

OFFICE-HOLDING.—Women hold no office.—*Cf. State ex rel. vs. Davidson, supra*, except certain school offices expressly opened.

“All males of the age of twenty-one years, who are citizens of the United States and of this State, and have been inhabitants of the State, county, district or circuit the period required by the Constitution, and laws of the State, are qualified to hold office under the authority of this state except: . . .” (1) bribe offerers or takers or other infamous criminals; (2) duelists; (3) defaulters.—Code, Sec. 1069.

Const., Art. IX., disqualifies for office: (1) minister (from legislature); (2) atheists; (3) duelists.

(*N.B.*—This is the only section on officers in Constitution.)

Qualifications for particular offices.—Representative must be a citizen of United States and Tennessee and resident.—Const., Art. II., Sec. 9.

Judges and Attorney-General must be resident.—Const., Art. VI., Secs. 3–5.

Other State and County officers, no qualifications.—Const., Art. VII.

State Superintendent of Education appointed by governor, no qualification.—Code of 1896, Sec. 1403.

“Women of the age of twenty-one years, and otherwise possessing the necessary qualifications, shall be eligible for said position of County Superintendent of Education.”—Sec. 1410.

District Director.—“Any person shall be eligible to the office of director who is qualified by being able to read intelligently and write legibly, to perform the duties required.”—Code, Sec. 1418.

Code of 1896, Sec. 1446.—Equal pay clause. 1873.

State Librarian.—“Women shall be eligible to the office of librarian.”—Code of 1896, Sec. 1379.

Notaries Public.—“Elected by the justices of the peace in county court assembled.”—Code of 1896, Sec. 1144. Same, Sec. 3194.

Women not eligible.—*Cf. State vs. Davidson, supra* but—

Eligibility of woman not to be questioned in collateral proceeding since she is a *de facto* officer.—*Stokes vs. Acklin*, 46 S. W. 316, 3rd Nat. Bk. vs. *Smith*, 47 S. W. 1102.

Jurors.—“Every male citizen who is a freeholder or householder.”—Code, Sec. 5813.

Charitable Institutions (Secs. 2578-2677); as to composition of boards, there are no provisions.

Board of State Charities.—Six, appointed by governor, no qualifications.—Sec. 2672.

Ex parte Griffin, 71 S. W. 746 (1901), women held ineligible as attorney, construing Sec. 5773 of Code of 1896, which contained no provision as to sex. Strong dissenting opinions. Decision resulted in the following law:

"That any woman of the age of twenty-one years, and otherwise possessing the necessary qualifications, who shall hereafter apply for the same, may be granted a license to practise law in the courts of this State."—Laws of 1907, ch. 69.

"Although a woman may be a citizen, she is not entitled by virtue of her citizenship to take any part in the government, either as a voter or an officer, independent of legislation conferring such rights upon her."—*State vs. Davidson*, 92 Tenn. 357, 8 Pickle 351, 22 S. W. 203, 20 L. R. A. 311.

TEXAS

GENERAL STATE SUFFRAGE.—Women have no general suffrage.

Const., Art. VI., Sec. 1.—The following classes of persons not allowed to vote: minors, idiots and lunatics, paupers, felons, soldiers. Sec. 2.—"Every male person subject to none of the foregoing disqualifications, who shall have attained the age of twenty-one years . . . shall be deemed a qualified elector." Civil Stat., Secs. 1730 and 1731 re-enacts constitution in terms.

SPECIAL SUFFRAGE.—Women have no limited suffrage, except certain rights as freeholders.

1. *Municipal suffrage.*—Municipal suffrage to be the same as state suffrage except that only taxpaying electors vote on questions of expending money or insuring debt in city.—Civ. Stat., Sec. 1734. (Cf. also Const., Art. VI., Sec. 3.)

2. *School suffrage.*—Elections on question of raising tax in school districts. "All persons who are legally qualified voters of this state and of the county of their residence and who are resident property taxpayers in said district . . . shall be entitled to vote in any school district election."—Civ. Stat., Sec. 3942.

If "two-thirds of the taxpayers of such city or town shall vote for such tax," the city may levy one for school purposes, "provided the charter allows."—Const., Art. XII., Sec. 10.

Ad valorem school tax authorized provided two thirds of the qualified property taxpaying voters of the district vote it.—Const., Art. VII., Sec. 3.

Parents may unite to form a school community and petition for a school.—Civ. Stat., Art. 3947.

School tax in towns and villages. "No person shall vote at said election unless he is a qualified voter under the constitution and laws of this state and a taxpayer in such incorporated district."—Sec. 3998.

3. *Local option.*—Election on question to be

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by qualified voters.—Civ. Stat., Art. 3389. *Cf.* also Const., Art. XIV., Sec. 20.

4. *Miscellaneous*.—Legislature may pass stock law. "Provided that any local law thus passed shall be submitted to the freeholders of the section to be affected thereby and approved by them before it shall go into effect."—Const., Art. XVI., Sec. 23.

OFFICE-HOLDING.—Women hold no offices though they are not excluded from any by general provisions and from only a few by special provisions. Governor must be citizen and resident.—Const., Art. IV., Sec. 4. Lieutenant-Governor, same.—Sec. 16.

Senators and representatives must be qualified electors.—Const., Art. III., Secs. 6–7.

No qualifications for secretary of state, attorney-general, controller, treasurer, and commissioner of general land office.—Art. IV.

Justices of the various courts must be citizens and attorneys.—Const., Art. V., Secs. 2–6.

School trustee must be able to read and write—only qualification.—Civil Stat., Art. 3953a.

Governor to appoint convenient number of notaries public, not to exceed six for unorganized counties. No qualifications.—Civ. Stat., Art. 3503. *Cf.* also Const., Art. IV., Sec. 26.

Attorneys, "any person," no qualifications., Arts. 255–56.

Board of managers of lunatic asylum. Five persons appointed by the governor, no qualifications.—Art. 89.

Blind Asylum, same.—Art. 144.

Mayor and Aldermen of towns must be electors.—Art. 395.

Jurors, "all male persons over twenty-one years of age."—Art. 3138.

Board of Nurses' examiners, no qualifications as to sex.—Act of 1909, p. 228, Sec. 1.

A woman may be a deputy clerk of a county.—*Delany vs. State*, 48 Tex. Cr. Rep. 594, 90 S. W. 642.

UTAH

Women have full political rights.

"The right of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political and religious rights and privileges."—Const., Art. IV., Sec. 1.

Taxpaying qualification for male citizens alone is unconstitutional.—*Lyman vs. Martin*, 2 U. 136.

Compiled Laws.—Secs. 803-4, Registration, repeats qualifications of Secs. 1 and 2 of Constitution with form of oath and questions (Art. IV., Sec. 2 deals with residence).

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Compiled Laws, Sec. 1299.—“A female citizen”
exempt from jury duty.

VERMONT

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Sec. 21.—“Every man of the full age of twenty-one years, having resided in this state for the space of one whole year next before the election of Representatives, and if of a quiet and peaceable behavior and will take the following oath or affirmation shall be entitled to all privileges of a freeman of this State.”

Amendment 1.—“No person who is not already a freeman of this state, shall be entitled to exercise the privileges of a freeman unless he be a natural born citizen of this or some one of the United States, or until he shall have been naturalized agreeably to the acts of Congress.”

Public Statutes of 1906, Sec. 69.—Voters. “Every male citizen twenty-one years of age . . . (residence) . . . shall have a right to vote at such (general election).”

(*N.B.*—Freeman's oath, Constitution, Sec. 21, still retained.)

Constitution, Art. VIII.—“All free men, having a sufficient, evident, common interest and attachment to the community, have the right to elect

officers, and be elected to office, agreeably to the regulations made in this Constitution."

SPECIAL OR LOCAL SUFFRAGE.—Women have full school suffrage.

1. *School suffrage.*—"Women, twenty-one years of age, shall have the same right as men to vote on matters pertaining to schools and school officers, and the same right to hold elective and appointive offices relating to school affairs."—Pub. Stat., Sec. 986.

Woman must be on tax list like man in her own name.—*School District vs. Bridport*, 63 Vt. 383.

2. *Local option.*—Town meeting votes on questions, *i.e.*, women do not vote.—Pub. Stat., Sec. 5104.

Property owner can object to issuance of adjoining license.—Sec. 5119.

3. *Town franchise.*—Voters. "A male citizen . . . (on list and taxes paid) . . . shall be a voter in town meetings."—Pub. Stat., Sec. 3410.

OFFICE-HOLDING.—There is no express exclusion of women from any office and a number of minor offices, including school offices, are expressly open.

"All free men, having a sufficient, evident, common interest and attachment to the community, have the right to elect officers, and be elected to

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office, agreeably to the regulations made in this Constitution."—Constitution, Art. VIII.

Qualifications for particular offices.—Senators must be freemen of the County.—Amendment to Const., Art. IV.

Representatives must be freemen of the County.—Amendment to Const., Art. XXIII.

"A woman twenty-one years of age may be elected or appointed town clerk, town treasurer and trustee of town libraries, provided she has resided in such town one year preceding such election or appointment."—Pub. Stat., Sec. 3429.

Notaries Public.—"Women twenty-one years of age shall be eligible to such appointment."—Pub. Stat., Sec. 3408.

Attorneys.—Rules regulating admission adopted by Court.—Pub. Stat., Sec. 1337.

Reformatory and Penal Institutions.—Board of visitors, composed of Governor, lieutenant-governor and speaker, for state penal and insane and private insane institutions. Pub., Stat., Sec. 6017.—"The Governor may in his discretion appoint a woman, a citizen of this state, as a member of said board. The duties of such woman member shall be only to examine into the regulations and management of each institution so far as relates to the female persons therein confined."

VIRGINIA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. II., Sec. 18.—“Every male citizen of the United States of twenty-one years of age . . . (resident) . . . shall be entitled to vote for members of the General Assembly and all officers elective by the people.”

Sec. 23 excludes idiots, insane, paupers, criminals, duelists.

Annotated Code, Sec. 62.—Qualifications of Voters. “Every male citizen of the United States twenty-one years of age . . . (resident and poll tax, etc.) . . . shall be entitled to vote for members of the General Assembly and all officers elected by the people and in any special election or local option election in any county, district, city or town. . . .”

SPECIAL OR LOCAL SUFFRAGE.—Women have no form of special suffrage.

1. *Local option*.—Elections by qualified electors held on petition of qualified voters.—An. Code, Secs. 581 to 584. Cf. also An. Code, Sec. 62, *supra*.

2. *School suffrage*.—At meeting of school sub-district “all male persons qualified to vote for members of the general assembly . . . (taxed) . . . are entitled to vote concerning such sub-

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district school affairs, and any person entitled to vote at such meeting may be chosen thereby as a school officer of such sub-district."—Ch. 240 of Laws of 1906, Sec. 6.

County, city, and town to raise additional local school taxes.—An. Code, Sec. 136.

OFFICE-HOLDING.—Women hold no offices except that of Notary Public.

"Every person qualified to vote shall be eligible to any office of the state, or of any county, city, town or other sub-division of the state, wherein he resides, except as otherwise provided in this Constitution and except that this provision as to residence shall not apply to any office elective by the people where the law provides otherwise. Men and women eighteen years of age shall be eligible to the office of Notary Public, and qualified to execute the bonds required of them in that capacity."

Board of graduate nurses appointed by Governor to regulate examination and license of nurses. No qualifications.—An. Code, Sec. 1766a-4.

Board of Dentistry examiners. No qualifications.—An. Code, Sec. 1767.

Board of Medical examiners. "Men learned in medicine and surgery."—Sec. 1745.

Board of Pharmacy. "Five registered pharmacists," recommended by Virginia Pharmaceutical Association.—Sec. 1756.

Jurors.—“All male citizens over twenty-one years of age. . . .”—An. Code, Sec. 3139.

Qualifications of Senator and Representative, that of persons who are qualified to vote for same.—Const., Art. IV., Sec. 44.

Governor must be a citizen of United States.—Const., Art. V., Sec. 71.

Lieutenant-Governor.—Citizen of United States.—Sec. 77.

Attorneys.—“Any three or more judges of the Supreme Court of Appeals voting together, under such rules and regulations, and upon such examination as may be prescribed by the said court, may grant to any male citizen . . .” a license in writing to practise law in the Courts of the State.—An. Code, Sec. 3191.

“Any person duly authorized and practising as counsel or attorney at law in any state or territory . . . may . . . practise in the courts of this state.”—Sec. 3192.

Held that Supreme Court of Virginia must decide whether “person” here includes woman, and if it excludes her she has no redress.—*Ex parte Lockwood*, 154 U. S. 116 (1893), 5 Va. Law Reg. 326.

Of Schools. Board of Education.—Const., Art. IX., Sec. 130.

Superintendent of Public Instruction elected (Sec. 131). School trustees, district, elected (Sec. 133). No qualifications for any of these offices.

WASHINGTON

GENERAL STATE SUFFRAGE.—(See p. 157.) Women have at present no state suffrage. Their territorial suffrage was declared unconstitutional in *Bloomer vs. Todd*, 3 Wash. Ter. 59.

Const., Art. VI., Sec. 1.—“All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections.” (1) Citizens, United States; (2) residents; (3) those able to read and write.

(N.B.—Woman suffrage clause rejected on adoption of Constitution, Amendment XXVII., Sec. 17.)

Code 1910, Sec. 4752. Electors. “All male persons . . .” following Constitution.

SPECIAL OR LOCAL SUFFRAGE.—(See p. 157.) Women have full school suffrage.

1. *School suffrage*.—“The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.”—Const., Art. VI., Sec. 2.

“This section of Constitution confers on women who are eligible the right to vote.”—*Holmes and Bull Co. vs. Hedges*, 13 Wash. 696.

“Every person, male or female, over the age of twenty-one years who . . . is otherwise, except as to sex, qualified to vote at any general election, shall be a legal voter at any school election and

no other person shall be allowed to vote."—Code, Sec. 4661.

Cf. Holmes Co. vs. Hedges, 13 Wash. 696, 43 Pac. 944, which holds this applies to school election in cities of ten thousand and over, though nothing said in statute organizing them.

2. *Local option*.—"Qualified voters" vote on question.—Code, Sec. 6294.

3. *Municipal suffrage*.—Cities, First class. May frame own charter and control suffrage.—Sec. 7494.

Cities, Second class. Electors to be the same as in general election.—Sec. 7587.

Cities, Third class, "Qualified electors of City" shall elect officers.—Sec. 7673.

Cities, Fourth class. The qualified electors of County under general election laws are electors of such cities.—Sec. 7725.

Town meeting electors. "Any person possessing the qualifications of an elector" in the town.—Sec. 9336.

OFFICE-HOLDING.—Women cannot hold high constitutional offices. Quaere if they may hold any public office except school office.

"No person except a citizen of the United States and qualified elector of this State shall be eligible to hold any state office."—Const., Art. III., Sec. 25.

Constitution does not in terms say this applies

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to the high state officers mentioned in this Article (governor and secretary of state, etc., superintendent of public instruction), but it is noticeable that this Article *is* given over to such officers and that "State officer" generally held to mean them. By inference this case considers other offices open to non-electors.—*State vs. Smith*, 6 Wash. 494.

Qualifications for particular offices.—Legislator must be "qualified voter of the District."—Const., Art. II., Sec. 7.

Judges. Attorneys.—Sec. 17.

Persons of either sex may hold office of County Superintendent of Schools without violating Constitution, and the Legislature may so provide.—*Russell vs. Guptill*, 13 Wash. 362.

State Institutions. Trustee of, etc., appointed by governor.—Const., Art. XII., Sec. 1.

Code, Sec. 6552, requires female assistant commissioner of labor (1909).

"No person shall be excluded from acting as an attorney at law and practising in all the courts of this State on account of sex."—Code, Sec. 128.

"The Governor may appoint and commission as Notaries Public, as many persons having the qualifications of electors as he may deem necessary."—Code, Sec. 8295.

Jurors must be electors and taxpayers.—Code, Sec. 94.

(Before this section decisions in territory as to eligibility of women varied—*Cf. Harland vs.*

Territory, 13 Pac. 453, and *Hays vs. Territory*, 5 Pac. 927.)

County Commissioners "three qualified electors."—Sec. 3967.

County Auditor must "have the qualifications of an elector."—Sec. 3915.

County Treasurer must have the "qualifications of a voter."—Sec. 3937.

Prosecuting attorney. "Qualified elector."—Sec. 3959.

County Assessor. "Qualifications of a voter."—Sec. 3971.

Sheriff. "Qualifications of a voter."—Sec. 3985.

County Engineer. "Qualified elector."—Sec. 3974.

Coroner. No qualifications.—Sec. 4007.

County Superintendent of Schools. Elected at general election.—Code, Sec. 4472. No sex qualification. Cf. *Russell vs. Guptill*, construing this with Sec. 78 of Laws of 1889-90 (*Hills' Code*, Sec. 856) that "he" means "she" when applied to board of education and county and city superintendent.

Directors of school district elected at school elections. No qualifications as to sex.—Code, Sec. 4480.

"Whenever the word 'he' or 'his' occurs in this act referring to either the members of the city board of directors, county superintendent of common schools, city superintendents, direc-

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tors, clerks, state board of education or other school officers it shall be understood also to mean 'she,' and any woman possessing all the qualifications of an elector, except as to sex, and possessing all of the other qualifications required by law for such officers shall be eligible to hold such offices."

—Sec. 4413.

Justice of the peace must be "qualified voter."

—Code, Sec. 6516.

Constable. No qualifications.—Sec. 6524.

Librarian. No qualifications.—Sec. 6972.

Cities, Second class. Officers of such city to be "residents and electors."—Sec. 7592.

Cities, Third class. Any officer "by election or appointment must be "resident and elector."—Sec. 76.

Cities, Fourth class. Officer must be resident and elector.—Sec. 7726.

Towns. Officers (including supervisors, town clerk, etc.) must be resident electors.—Sec. 9338.

Police Matrons required in cities of ten thousand inhabitants.—Code 7824.

Matron required in State training school.—Code, Sec. 8599.

State Board of Control of Charities consists of three "citizens of State appointed by governor."

—Code, Sec. 8931.

"Hereafter in this State every avenue of employment shall be open to women; and any business, vocation, profession and calling followed and

pursued by men may be followed and pursued by women, and no person shall be disqualified from engaging in or pursuing any business, vocation, profession, calling or employment on account of sex; Provided this section shall not be construed so as to permit women to hold public office."—Code, Sec. 6569.

Note.—The first two sections of this report, *i.e.*, General Suffrage and Local Suffrage, are practically superseded by the Constitutional Amendment adopted last fall. The Amended Section I of Article VI. of the Constitution now reads as follows:

"Section I. All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the State one year, and in the county ninety days, and in the city, town, or ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English Language: . . . There shall be no denial of the elective franchise at any election on account of sex."

How far this affects office-holding has not been officially determined, except that by chap. 57, Secs. 1 and 2 of the Laws of 1911, women are competent to serve as jurors in the superior courts of the State, the same being an amendment to

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Rem. Bal. Code, Sec. 94, and also to Secs. 88-93 and 98 in so far as a jury is defined as a body of men.

WEST VIRGINIA

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

Const., Art. IV., Sec. 1.—“The male citizens of the State shall be entitled to vote at all elections held within the counties in which they respectively reside. . . .” (Excludes minors, insane, paupers, convicts, and requires residence.)

Ch. 3, Sec. 529, of Annotated Statutes repeats Constitution in terms.

SPECIAL OR LOCAL SUFFRAGE.—Women have no special suffrage.

1. *School suffrage.*—School Superintendent elected in county by “voters thereof.” Various school questions, as tax levy, high school, number of school months, etc., submitted to the same voters.—An. Stat., Sec. 1560.

2. *Local option.*—“Inhabitants of county” may petition against granting license to county court.—An. Stat., Sec. 925.

Same in cities.—An. Stat., Sec. 926.

OFFICE-HOLDING.—Women hold no offices.

“No person except citizens entitled to vote shall be elected or appointed to any state, county

or municipal office. . . .”—Const., Art. IV., Sec. 4.

“There shall be and hereby is established a state board to be known as ‘The West Virginia Humane Society’ for protection of children and the helpless aged, and the prevention of cruelty to animals. . . . Said board shall consist of four reputable citizens, one of whom shall be from each of the four congressional districts and may consist in part of women.”—An. Stat., Sec. 482.

Attorney.—“Any person desiring to obtain a license . . .” after application, examination, etc., may be admitted to the bar.—Sec. 3760.

Notaries Public.—Governor appoints.—Sec. 2192.

Sec. 2194.—“ . . . He (notary public) shall also be a conservator of the peace within his county and as such conservator shall exercise all the powers conferred by law upon justices of the peace.” (Women are not eligible.)

Industrial School for Girls. “All officers, agents and servants in internal management shall be women.”—Supplement, 1909, Sec. 1806a, 12.

Governor appoints board of five examiners for nurses, “two of whom may be women.”

WISCONSIN

GENERAL STATE SUFFRAGE.—Women have no state suffrage.

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Constitution III., Sec. I.—“Every male person . . . belonging to either of the following classes . . . shall be deemed a qualified elector at such (any) election.” (1) Citizens of the United States; (2) holders of first papers; (3) Indians made citizens by Act of Congress; (4) civilized Indians, “Provided that the legislature may at the time extend the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election and approved by a majority of all the votes cast at such election.”

(N.B.—Amendments to Constitution require *two* legislatures and popular majority.)

“The legislature may by law approved as above prescribed extend the suffrage to women.”—*Brown vs. Philips*, 71 Wis. 239.

The effect of adopting Sec. I, ch. 211, of Laws of 1885, giving women right to vote at elections pertaining to school matters is equivalent to adding a clause to this section. But the statute is not self-executing as to elections at which other than school officers are to be chosen. And that an officer does some school duties does not make him a school officer.—*Gilkey vs. McKinley*, 75 Wis. 543.

SPECIAL OR LOCAL SUFFRAGE.—Women have school suffrage.

School District Meetings—annual and special.
“Every woman who is a citizen . . . shall have a right to vote at such election.”—Stat., Sec. 428a.

Wisconsin Statutes of 1898, ch. 5, Sec. 12, as amended by Supplement, Sec. 428a. (Ch. 285, 1901.) — School district meetings. Electors.
“Every woman who is a citizen of this state, of the age of twenty-one years and upwards (except those excluded by Constitution III., Sec. 2) . . . who has resided within the state one year and in the election district where she offers to vote ten days next preceding any election pertaining to school matters shall have the right to vote at such election. Separate ballot boxes shall be furnished at every election precinct in this State at every primary, general, municipal or special election for the use of women desiring to vote on said school matters and separate ballots shall also be provided at said election for the use of said women.” This last paragraph was added because the law in its previous form had been held not to give women the right to vote on school matters at general elections.
—*Cf. Gilkey vs. McKinley, supra.*

An election to bond a city for high school building carried by women's votes, sustained.—*Hall vs. Madison*, 107 N. W. 1 (1906).

For the power of the qualified electors to raise money at town meetings see Annotated Stat., ch. 38, Sec. 776.

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OFFICE-HOLDING.—While there is no express provision in the statutes, it is the general doctrine of the decisions that a person not an elector cannot hold public office.—*State vs. Smith*, 14 Wis. 497; *State vs. Trumpf*, 50 Wis. 103.

Qualifications for particular offices.—Members of legislatures must be residents and electors.—Const., Art. IV., Sec. 6.

Governor and Lieutenant-Governor must be citizens and electors.—Const., Art. V., Sec. 2.

There is no provision in Constitution as to county officers, other state officers or judges.

State Superintendent of Education to be elected by qualified voters, "as legislature shall provide."—Const., Art. X., Sec. 1.

"Every woman of twenty-one years of age and upwards may be elected or appointed as director, treasurer, or clerk of a school district, director or secretary of a town board under the township system; member of a board of education in cities, or county superintendent (or town inspector of common schools)."

(*N.B.*—Last clause not enacted; left in and printed in law by mistake. Ch. 120 of 1875.)

Board of Regents of University. "At least one of whom shall be a woman."—Supplement, Sec. 378.

Board of Regents of Normal schools, 11 members "at least one of whom shall be a woman."

Probation officers.—"One or more persons."—

Laws of 1909, Sec. 4734, amended. (Ch. 541 of 1909.)

"Five persons, one of whom shall be a woman" appointed as State Board of Control of Charities.—Statutes, Supplement, Sec. 561a, ch. 381 (1905).

"No person shall be denied admission or license to practise as an attorney in any court on account of sex."—Statutes, Sec. 2586, 5.

"The governor shall appoint . . . Notaries Public, who shall be residents and qualified electors, or females of the age of twenty-one years or upward of the county for which they are appointed."—Statutes, Sec. 173.

"Any woman authorized to practise as an attorney of any court of record may be appointed and act as a court commissioner."—Sec. 2433. (Duties judicial—can punish contempt.)

"Whenever the governor shall deem it expedient . . . he may appoint a suitable person, male or female . . ." to make investigation of State Institutions.—Sec. 562 (a).

One female assistant factory inspector may be appointed.—Sup. to Stat., Sec. 1021d, ch. 409, L. of 1901.

WYOMING

Full political rights are accorded women.

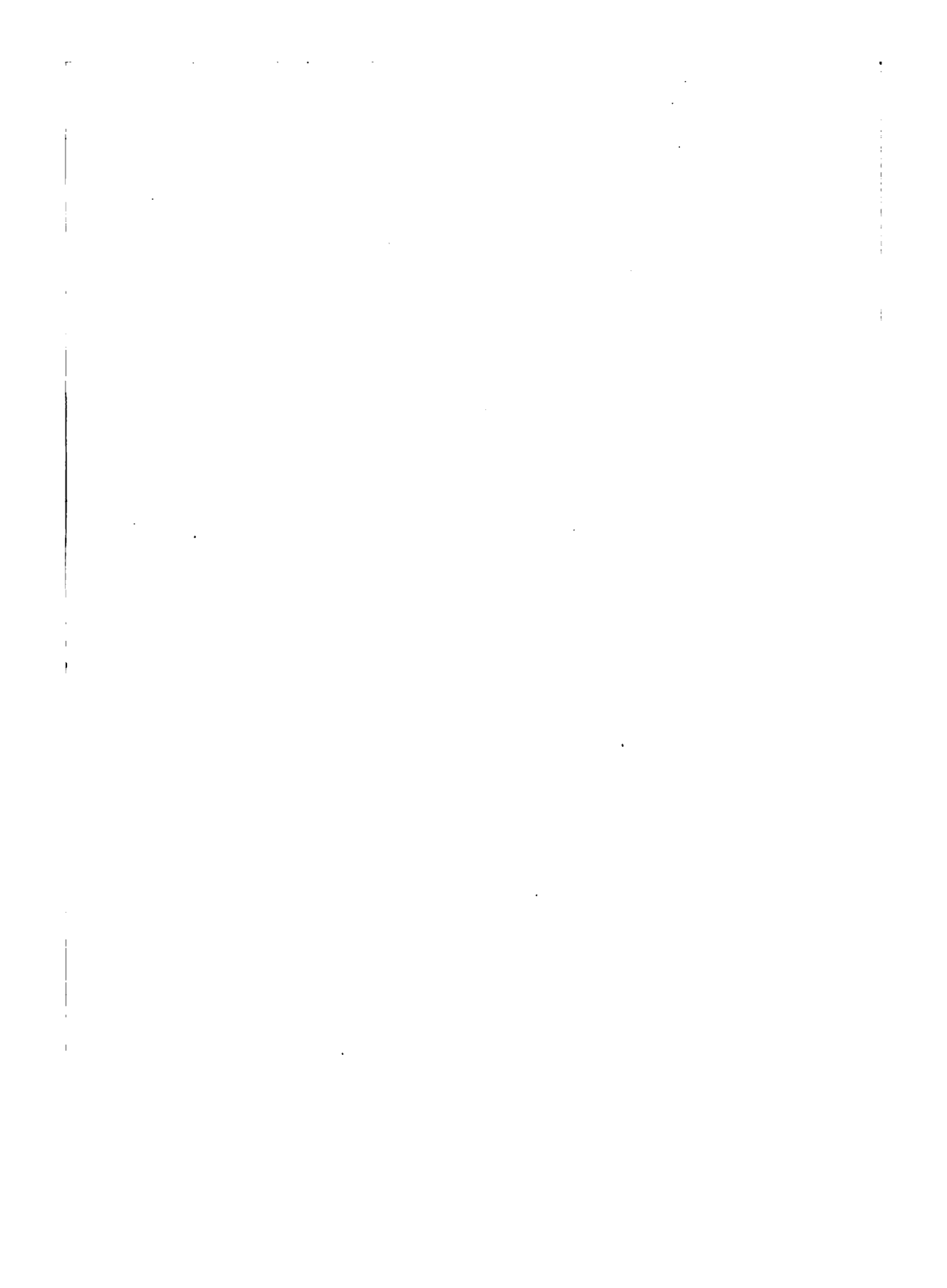
Const., Art. I., Sec. 3.—"Since equality in the

enjoyment of natural and civil rights is made sure only through political equality, the laws of this State affecting the political rights and privileges of its citizens, shall be without distinction of race, color, sex, or any circumstance or condition whatsoever other than individual incompetency, or unworthiness duly ascertained by a court of competent jurisdiction."

Const., Art. VI., Sec. 1.—"The right of citizens of the State of Wyoming to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall equally enjoy all civil, political and religious rights and privileges."

Const., Art. VI.,—2—Sec. 3.—"No person except a qualified elector shall be elected or appointed to any civil or military office in the State."

Revised Statutes of 1897, Sec. 378.—"When they possess the other qualifications of an elector, the rights of women to the elective franchise and to hold office shall be the same as those of men."







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